

PERSONAL EXPLANATION—MR.
FOLEY AND BISHOP RILEY.

Mr. FOLEY (Mount Leonora): With your permission, Mr. Speaker, I would like to make a personal explanation at this stage. This evening I received the following letter from Bishop Riley of Perth:—

Dear Sir,—In the *West Australian* for this morning you are reported to have said in the House last night with reference to the selection of the last Rhodes scholar, "One of the boys—Bishop Riley's son—at once said he had known that Dunstan would not be chosen, adding that his (Riley's) father had told him so at luncheon time that day." I wish to state emphatically that this is a mistake. I could not have made such a statement because I had not spoken to any one of the board of selection nor had any one of them spoken to me with reference to any of the candidates. Of course, I, like every one else interested in the selection, had my own opinion. I ask you in justice to the members of the board of selection, who are by inference accused of saying beforehand what was going to happen, to give my statement as much publicity as the one you in error made last night. I told Mr. Dunstan last February that I had made no such statement as that attributed to me. Yours faithfully (signed) C.O.L., Perth.

My own position, and the personal explanation I wish to make is this: I was not reported fully in the *West Australian* of this morning's issue, but I am perfectly content to take what will appear in *Hansard* as a true report of what I really did say, and which I am led to believe is substantially correct.

House adjourned at 10.25 p.m.

Legislative Council,

Thursday, 11th July, 1912.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

PAPER PRESENTED.

By the Colonial Secretary: Annual report of Education Department

QUESTION—LAND TRANSACTIONS, DETAILS.

Hon. V. HAMERSLEY (for Hon. C. SOMMERS) asked the Colonial Secretary: (a.) What area of land has been surveyed in the South-West Division under Sections 55, 56, and 68, from the 1st October, 1911, to the 1st July, 1912? (b.) What area has been applied for under Sections 55, 56, and 68 since 1st October, 1911, to 1st July, 1912? (c.) How many sales of country township lands have been made since 1st October, 1911, to 1st July, 1912, (a.) under freehold conditions, (b.) under leasehold conditions, and the total amount realised? (d.) How many sales of country township lands have been made since 1st October, 1910, to 1st July, 1911, (a.) under freehold conditions, (b.) under leasehold conditions and the total amount realised? (e.) How many sales of country township lands have been made since 1st July, 1911, to 1st October, 1911, (a.) under freehold conditions, (b.) under leasehold conditions, and the total amount realised. (f.) How many licensed surveyors are now engaged in surveying lands intended to be thrown open for selection.

The COLONIAL SECRETARY replied: (a.) The procedure of the department does not permit of the differentiation of the figures, as the land applied for under Section 68 is often approved under Sections 55 and 56. The figures showing the total area surveyed during the period

referred to will be available in about a week.

(b)

Section 55	407,418 acres
" 56	130,539 acres
" 68	421,209 acres
Total area applied for			1,009,216 acres

(c)

	No.	Value.
		£ s. d.
(a) Town Lands	148	2,565 0 0
Town Lands, Suburban for Cultivation	90	2,101 10 0
	238	£4,666 10 0

	No.	Annual Rental.	Premium.
		£ s. d.	£ s. d.
(b) Town Lands, Residential Conditions	65	41 2 0	...
Town Lands sold at auction	75	81 13 0	119 18 0
Town Lands, Suburban for Cultivation	30	25 0 0	...
	170	£147 15 0	£119 18 0

(d)

	No.	Value.
		£ s. d.
(a) Town Lands	703	52,821 0 0
Town Lands, Suburban for Cultivation	242	6,899 15 0
	945	£59,720 15 0

	No.	Annual Rental.
		£ s. d.
(b) Town Lands, Residential Conditions	82	49 14 6

(e)

	No.	Value.
		£ s. d.
(a) Town Lands	244	6,568 5 0
Town Lands, Suburban for Cultivation	108	1,879 0 0
	352	£8,447 5 0

	No.	Annual Value.
		£ s. d.
(b) Town Lands, Residential Conditions	22	11 19 0

(f)

48 Licensed Surveyors.

Note.—The regulations dealing with the leasing of Town and Suburban lots were gazetted 18th December, 1911, and were amended by *Gazette* notice 1st March, 1912; the first sale thereunder, 14th March, 1912. The regulations dealing with the leasing of Suburban for Cultivation lots were gazetted 18th March, 1912; the first application thereunder was made 15th May, 1912.

QUESTION—FREMANTLE DOCK BORINGS.

Hon. M. L. MOSS asked the Colonial Secretary: Will the Government, before finally abandoning the site at Rous Head, Fremantle, for a graving dock, have further boring undertaken every five feet

of the site for a depth of 70 feet with a view of determining the extent of all caves within its area.

The COLONIAL SECRETARY replied: The estimated cost to drill and plug the bores is in the neighbourhood of £100,000, and this expenditure would not serve the purpose intended. It is not considered expedient to cover the dock area with the large number of bores suggested.

ADDRESS-IN-REPLY.

Sixth Day—Amendment.

Debate resumed from the previous day on the motion for the adoption of the Address-in-reply and on the amendment by the Hon. M. L. Moss—"That all the words after 'sovereign' be struck out with a view of inserting the following words: 'and to protest against the expenditure incurred by your Excellency's Ministers without an Act of appropriation, such procedure being derogatory to the privileges of Parliament and subversive of the Constitution, while in addition thereto the proposal contained in your Excellency's Speech, implying that a ratification by the Legislative Assembly of such unauthorised expenditure is sufficient in law, ignores the constitutional rights of the Legislative Council.'"

Hon. C. A. PIESSE (South-East): It is due to Mr. Gawler that I should say a few words with reference to my action last night in moving the adjournment. I did so at his request but I have since discovered that I have to leave this evening by an early train; therefore I take the liberty of speaking before the hon. member. I welcome the new members to the Chamber. Unfortunately I have not had the opportunity of hearing them all speak, but I have read the reports of their speeches in *Hansard*, and I have heard some of them. The debating power added to the House by their advent seems to be excellent. Whether Liberal or Labour they seem to have put forward their views in a most excellent way, and one could not help but feel proud of the way they have dealt with the

questions in hand. I have listened to nineteen Governor's Speeches. There are only three members in the House who were elected at the first election for the Legislative Council, and by a strange coincidence we all sit in the one corner. I refer to Sir Winthrop Hackett, Mr. McLarty, and myself. I may say in regard to the Governor's Speech that there is nothing uncommon about it except with regard to the purchase of steamers and one or two dark-horse policies—I cannot call them anything else—that appear towards the end of the Speech having in view an amendment to the Land and Income Tax Act. Beyond that the Speech has much in common with previous Speeches. As to the purchase of steamers I say straight out it is unconstitutional, absolutely unnecessary, and certainly unwise. Our best thanks are due to Mr. Moss for bringing the amendment before the House. It is a double-barrelled amendment. There are two important points embodied in it, and hon. members who do not vote for it should not be in the House, because there are certain privileges and constitutional rights attached to this House that should be respected by every member in it, and even those who are contrary to what are termed Liberal views should do their best to uphold the dignity and constitutional rights of the Chamber. The venture is evidently doomed to failure. No one could listen to the speeches of Mr. Connor and Mr. McLarty without feeling that these gentlemen opened their hearts to the House and the country and told everything they knew in connection with the trade; and judging by what we know in regard to the delivery of meat by boat and the retailing of it, there have not been great fortunes made at it. I do not know whether the Government will even have the opportunity of the private people. We know that red tape always interferes with freedom of action, and we know that the Government stroke will come in and that we cannot get from a man that work that private people can get from him. I am perfectly satisfied the venture is doomed from the start. I cannot understand why the Government should have taken it up as they have.

I trust better counsels will prevail and that they will find some means of getting rid of the steamers and get back to more legitimate work, not in regard to legislation only, but in regard to administration, so as to avoid any increase of taxation. We have plenty of laws, and if they are only administered and carried out properly there is no need for fresh legislation. People seem to think that everything done in the past is wrong. That is the view of the man in the street. The man in the street says we should let things go on and give the Government plenty of rope and they will hang themselves. The Council is not a party House. I think the Colonial Secretary will admit that I have done my best to help him in regard to any proposition brought forward that I considered in the interests of the State. He knows that I have given him the strongest and warmest support on anything I considered good for the State, and that I did all I could to help him, but anything I feel is against the interests of the State I feel justified in condemning at once. There is no need to say more in regard to this matter except that I am astonished to find the source from which the Government have taken money. It is astonishing to me they did not utilise the extraordinary clause passed last year in the Agricultural Bank Bill. The amendment I moved was called a foolish one; and though the House passed it, unfortunately it was improperly worded. At any rate things were very warm at the end of last session; even *Hansard* could not keep pace with us, and there are no records of the speeches that took place on that point, except some slight extracts. I am dealing with Section 3 of the Agricultural Bank Act Amendment Act, 1911, which provided that the Government should have power by proclamation to declare any industry they choose a rural industry.

Hon. J. F. Cullen: They could not class steamers under that.

Hon. C. A. PIESSE: They say it is for the small cattle owner, and if this is not a rural industry, tell me what is. The Governor may by Proclamation de-

clare it to be a rural industry, and, that being so, I would have not been at all surprised to find that they had used that section for that purpose.

Hon. J. F. Cullen : I am afraid you are giving the Government a wrinkle.

Hon. C. A. PIESSE : It does not matter, that is the true situation. In regard to the Speech itself, it will be seen that the first ten paragraphs deal with the agricultural interests. These paragraphs have much to commend them. The only new feature is that for the first time we have the announcement that the Government have been supplying the farmers with seed wheat and fertilisers, and granting them the concession of deferred payment of rents. Those who know what the farmers have gone through in that particular portion of the country benefited by these concessions could not refrain from extending to the Government great praise for their action in this respect. There is one point, however, to which I would like to draw the attention of the Colonial Secretary. In the only instance of a farmer who received seed wheat in one particular district, that farmer, when asked what it was costing him, replied that he did not know, that he had no idea, because no account whatever had been rendered. I say these accounts should be rendered in the usual way and I draw the Minister's attention to it because the farmers themselves require to know where they are, and it is only right that they should be aware of what they have to pay. In regard to the deferred rents, as many of the older members know, I have always fought for this concession. If it were left to me, I would give every settler who goes out into the back country this concession for the first three years. Unfortunately, however, I have never been successful in my advocacy of the principle, so you will understand the pleasure I felt on learning that the present Government had put it into operation. It must not be forgotten that a great majority of these settlers and their wives have made very real sacrifices. You can go 60 and 70 miles away from the Great Southern Railway and find men, women and children

plodding away at their work of establishing their homes. I deem it to be my duty to draw attention to the wonderful pluck they are displaying. I notice in the Speech the assertion that better conditions generally have been provided for these people, but really for my part I must confess that I am not clear as to what those better conditions are. On one score and another some credit is due to the Government for the work they are carrying out, but I have not yet discovered these generally better conditions, and so it seems to me that the Government are taking credit for something not visible to even an interested observer. I do not know much about the mining industry, but the clauses in the Speech relating to that subject make good reading, and it would seem that the industry is going along nicely. There are in the Speech six clauses dealing with industrial workers. These clauses cover a wide field bristling with difficulties. All will admit that the workers ought to be treated not only fairly, but with every consideration that humane feelings would prompt; but you must not do it at the expense of another section of the community. It must be done on lines eminently fair to all, and unfortunately the system at present adopted is not quite fair to all. The system is tending to introduce a class of workman without backbone, and without any self-reliance. There is no getting away from that fact. Taking them as a class, they are led by one or two strong minds, and I say we should deprecate the introduction of spineless individuals with no initiative. If you once stop the initiative in a man, if you smother the natural feelings which should animate every man, you must break his heart. I trust better counsels will prevail, and that free and unfettered opportunity will be given every man to develop his self-reliance. Unless this is done, the work of building up a nation and developing the higher qualities in the nation's units, will in the course of many years be no further advanced than it is to-day. Reference is made in the Speech to the Worker's Compensation Act. I say if we do not mind we will

be surrounding the employer with so many difficult conditions that employment will be found to be a diminishing quantity. As a result of this class of legislation it is no uncommon occurrence to find men who will not even take the trouble to protect themselves from injury. I had an instance of this myself quite recently. One of my men drove a splinter into his hand off the shaft of a cart. He reported that he had a splinter in his hand, and explained how it had happened; then, instead of going on with his work, he went off drinking. This was repeated on the second day, and on the third day I asked him what he meant. He said, "Under the Worker's Compensation Act you are liable for having a splinter on your shaft." That is the sort of man we produce by this class of legislation. Another subject mentioned in the Speech is that of the worker's homes scheme. I take it the Government are not going to make a success of that scheme until they promise the workers the fee simple. In any case, history will repeat itself, and if the workers take the leasehold land to-day, then some future Government will assuredly give them the privilege of making it freehold. This has already happened in New Zealand, and if the Government find the workers taking the leasehold land, they may be very certain that it is being done in that expectation. You must give these men some hope of getting their freehold. The movement is a splendid one, except that it has the one great defect of refusing the freehold. Mr. Carnegie, the millionaire, has said he did not believe that any man reached the full stature of manhood until he owned his home, or his farm. I believe in that myself. The people must have their own homes and farms. I have no time for leasehold for my own part. So far as I am concerned I have my freehold, but if in future dealings I could not secure the freehold, then I would enter into no such dealings at all. I want to say also to the Government that they will be well advised to leave State mills and State brick yards alone; unless they are prepared to close down private enter-

prise altogether they will find it impossible to successfully compete against private firms and individuals. They propose to go to a tremendous lot of trouble and expense in this regard. They will require to have rigid rules and there must be no give and take, and in the end the whole thing is bound to meet with failure. With regard to the cost of living, I want to ask Mr. Davis if he can tell me how we are going to reduce that cost by increasing the cost of production. The whole thing, it appears to me, is summed up in that one question. The tendency is to increase wages all round, and it seems to me that means increased cost of production. I wish someone would crack this nut for me, for I cannot do it myself. Last night the statement was made in another place that our farmers are all sweaters. That is an altogether unfair statement to make. My sons pay their men 8s. a day of eight hours for farm work. I do trust that when these statements are made farmers will not all be branded alike. Let me say that those men who are paid 8s. per day have to be taught their work. One swallow does not make a summer, as everybody knows, yet all farmers are made to bear a stigma of that kind, without any discrimination. In reference to education, the system seems to be splendid, and I can only say I wish that, as a boy, I had had the opportunities afforded the boys of to-day. With reference to the Esperance railway we will require a lot of information yet before we can approve of it. There might be something in a proposal to connect the fields with the coast by a short line. In these days it is not a matter of the local market, but of export, for we have long since reached that stage. On these lines I think something might be done for the Esperance settlers. Our wheat growers are not regulated to-day by the local market, but by the world's market. The same applies to flour, and last night I heard Mr. McLarty state that the world's market had a distinct bearing upon the price of cattle. A baker would not know where he was unless he could get flour at a certain price. The very fact of a contract being made really

establishes the price. As I pointed out to Mr. McLarty last night, a man might find that he is losing money one month, and pulling up the arrears again in the next month. The beef business, however, seems to be one that cannot be regulated so easily as the flour trade. When I was in the business we used to have these contracts. We must have some basis on which to work. In the case of a miller very often he has to put stuff into the market, may be on account of his wanting money; a man might be on the spot and might get a few tons of flour at a certain price whereas the market price might be a couple of pounds higher. If the Government are wise, they will never touch the flour business. I cannot see any money in it, and it was, to a great extent, the cause of the loss of my excellent brother. With regard to the construction of railways, I do not believe in day labour if you have to put two men on where you have only one now. I think some of these lines ought to be laid by contract; otherwise it will be doomsday before we get some of them finished. Of course if we can turn out as good a line in as quick a time and as cheaply to the State, by day labour, there is no objection to it, but from comparisons that I have made lately I think that lines built by day labour are not up to the lines constructed by contract. These railways must be constructed more rapidly, and the Government will be wise to let a few of them on contract. It will be six or seven years before some of the lines which are now before Parliament can be built—providing, of course, that they are passed—and this will be no good. The people are languishing now for these facilities. In regard to the Esperance railway, that will benefit a few settlers who have been there only a few years. We should give the preference to settlers out from the Great Southern line who have been there 20 or 30 years. The Minister for Works has said that these lines should be built in the order in which they pass Parliament. If that is so, it is unfair indeed to put the Esperance railway before lines in other districts where people in one instance I can mention, have been

settled fifty years—that is the line West of Wagin. That is where I and my sons live; and on that account I have not said so much about it as I otherwise would have done. People there are developing their holdings very well, and are carting their stuff at a loss. In Esperance there are only a few settlers by comparison, and if this railway is passed it seems that the Esperance district will be served before the other and older-settled localities. Reference has been made to an amendment of the Roads Act, and the Municipal Corporations Act. With regard to the Roads Act, I trust that we shall have no more taxation imposed. The people have quite as much taxation now as they can carry. The tendency seems to be to make them carry more, but I hope that better counsels will prevail. The previous Government promised distinctly that they would bring up this Bill in the following year with a provision bearing on the charge of £3 per chain for making roads when land is subdivided. When we are dealing with the subdivision of suburban land, like Mount Lawley, £3 a chain for the necessary roads would not be a serious tax; it would be a mere fleabite compared with the benefits to be derived; but if a farmer divides his farm between his sons, and desires to put a road through, he has to pay £3 a chain towards the cost of its construction. The provision applies also to small suburban lands, where a man might have five acres, and desire to cut it up. He puts a road through, and has to plank down probably £15 to £20 for the privilege of having the road. The principle is all right, but it must be graded in some way. In the case of valuable land near the city, where the owners are going to get the benefit, it is all right, but in the country it is objectionable to apply it. I hope the Government will have that provision struck out. We can commend the Government for their activity regarding the construction of railways. They have done well, and I hope they will do better next year by increasing their organization. I want so say a few words regarding the proposed amend-

ment of the Land Act. The land laws form a subject in which, as members know, I have always been interested. I want to tell the Colonial Secretary that the Government do not represent the agricultural districts, for in the fifteen truly agricultural districts, they have only two seats. If the Minister will look down the list he will see that what I say is correct. This Government, however, are going to frame laws in connection with the working of these lands, and there will be many bad clauses inserted in the Bill emanating from people who know nothing about farming. How would the Trades Hall people, who are purely in the mechanical and industrial line, like the farmer to fix their laws? They would resent it most bitterly. The Government should make haste slowly, and take the best advice obtainable. This matter of twiddling with the land laws is most objectionable. The regulations of the Minister for Lands have caused a set-back in the country. I can say that because I know it to be positively true. We have forfeited the faith of the banks in the land, and what we have to do now is to win back that faith. This statement has been denied in another place, but it is true. If the Government are not careful, they will find a serious set-back. If this leasehold is introduced, I hope it will be made optional, as it was in New Zealand if not, the day is not far off when it will be made optional. With the present proposals the Government are only losing time. As Mr. Sommers said yesterday, the present Premier of New Zealand is moving on freehold lines entirely, and they are the safest lines. I want to emphasise the fact that thirteen of the agricultural districts voted against the Government's land proposition, and yet, in the face of this fact, the Government are going to throw at them laws which are objectionable.

Hon. F. Davis: You have plenty of agricultural representatives here.

Hon. C. A. PIESSE: Yes, but the representatives in the other House make the Government.

Hon. F. Davis: I thought we did that.

Hon. C. A. PIESSE: If agricultural

representatives were in numbers there as we are here, we could. As far as the question of Liberal and Labour goes, the trouble is we cannot change our coats. What we think is what we say, if we are true; and every man, I take it, tries to be true. I take it that every member says what he is thoroughly convinced of. If our views do not coincide, I trust we shall give each other credit for honest convictions. I give every man who speaks in this House credit for honest convictions, and if a man does not speak his honest convictions then I say he should not stay here. I want to emphasise the fact that the Government have done untold mischief in regard to their land proposals and their effect on the advances from the financial institutions. The Minister for Lands (Mr. Bath) is an estimable gentleman, and one of my personal friends, but when he issued that regulation it was equivalent to setting this country back in land settlement for three or four years. There is an Eastern fable that fits this case well. A pilgrim was making a journey, and was asked where he was going, and he replied, "I am going to Bagdad, to kill five thousand people." A few weeks later, the pilgrim was met, on his return journey, by the same man, who remarked, "I thought you were going to kill five thousand people; you killed 95,000." The pilgrim replied, "No, I killed only five thousand, but the remaining 90,000 died from fright." That fable can be applied here. This is the position: a few people have suffered, and 95 per cent. more have been frightened. Anyway he has frightened the financial institutions to such an extent that no one can go to them to-day and borrow money on conditional purchases. I want to emphasise this point, because it is very important so far as land settlement is concerned. Unless we can get money to flow freely, and it was flowing freely before these regulations were introduced, we shall speedily go down hill. I would like to add in conclusion that I notice with pleasure that it is proposed to increase the capital of the Agricultural Bank. This is a good institution, and

we have there an excellent manager and a very capable lieutenant, but these gentlemen, I think, ought to be given help. I have had occasion to go there three or four times lately, and I never saw any men working so hard as the officers of this institution. When I say that some assistance will have to be given them, I mean that additional responsible officers will have to be appointed, not officers to attend to details, but those who will be competent to decide on the hundreds of applications which are made to the Bank. In this way only, it will be possible to avoid the annoying delays which take place just now. That is all I have to say, and I thank hon. members for the hearing they have given me.

Hon. D. G. GAWLER (Metropolitan-Suburban): First of all I desire to join the other members who have spoken in congratulating the new members of the House, and I thoroughly echo what has been said in regard to their capabilities. I am certain that all these gentlemen, including the two who are connected with the Labour party, will add considerably to the debating power of the House. These two gentlemen especially have shown us that they are quite able to enter an arena of this sort and take a reasonable view of all matters which come before them. I would also like to join other hon. members in regretting the absence of Captain Laurie, who is an old personal friend of mine, and of whom I have had some experience in this House. I can say of that gentleman, that however hard he may have hit, and whatever strong opinion he may have held, he uttered his own firm convictions, but whatever he said never left behind it any sting. First of all I would like to refer shortly to the amendment before the House. It has been suggested, inasmuch as it has been proposed by hon. members to pass these measures which have been criticised when they come before us, to proceed with this amendment will be futile. It has been suggested also that it rather partakes of party action on the part of members of this House. As to its futility

I do not agree, because after all, what we are protesting against is not these measures themselves; we are protesting against the unconstitutional action of the Government in bringing these things about without first coming to Parliament for authority; and as to the question of partaking of party action, I would point out that if that can be said in this instance, the same may be said with regard to any other measures which are brought before this House if they happen to be brought down by a Labour Government. It has also been said that the individual remonstrances of individual members on these matters would be just as effective, but I do not think so. I think that a joint protest from this House will be much more effective, because such action, as a joint action, will come before the public in a much more telling fashion. Possibly the people may not read the individual speeches of members, and they may not know the attitude taken up by members. The amendment may be divided into two divisions, the first being the question of the unconstitutional expenditure of the money, and the second the alleged slight put upon the Upper House by having been ignored in the Address-in-reply. Dealing with the first aspect I think the unconstitutional position is practically admitted. That is to say, it seems to me admitted that the Government in order to expend money, must get appropriation, and that appropriation, as hon. members agree, must be by law. Section 72 of the Constitution Act says, that moneys must be appropriated by law from either Consolidated Revenue or from Loan Funds. By law, means by both Houses of Parliament. The appropriations, so far as I know, are of two characters. They are either permanent appropriations or appropriations for the purpose of the annual services of the State, and the latter are brought down by way of Estimates by a recommendation from the Governor to the Lower House. The Lower House resolves itself into a Committee of Ways and Means, discusses the Estimates, reports to the House, and the House thereupon resolves to grant an amount covering such items

and passes a Bill to that effect which is presented to the Upper House for its acceptance where alterations can be suggested or the Bill thrown out as a whole.

Hon. M. L. Moss: It is passed on to this House in the form of a Bill.

Hon. D. G. GAWLER: And it does not become an Act until this House gives its consent to it. I understand that the suggestion in this case is that the appropriation has already been made, and that appropriation has been made by means of an item in the Act of 1912 headed, "Advance to Treasurer £250,000." I think this is the item which the Leader of the House said this money was taken out of. This "Advance to Treasurer" reads—

To enable the Treasurer to make advances to public officers and on account of other Government works, etc., and to pay expenses of an unforeseen nature.

Hon. M. L. Moss: That is inconsistent with the Speech.

Hon. D. G. GAWLER: I am coming to that. Then the item further proceeds in large letters—

Also to cover any increases of salaries which may be granted as the outcome of the reclassification of the Public Service now proceeding, which will afterwards be submitted for Parliamentary appropriation.

I think it will surely be admitted that the item is only to cover unforeseen expenditure in the nature of excess votes and excess on these Estimates, and finally as is shown by the large type, in which the words which I have read appear, to cover increases in salaries in the new reclassification scheme, and surely not to cover expenditure in the nature of capital expenditure of practically a new departure in policy. That is the point I wish to make. That advance under which it is contended the money is taken does not justify the Government in taking the money from that vote. Now we are asked to ratify it. It is contended that there was an appropriation of that money. Why, therefore, should we be asked for ratification if that is so. In connection with

this matter, it may be interesting to read some remarks made by the present Premier in a previous session of Parliament on a very similar matter in connection with Mr. Wilson's Government, and I think hon. members will be interested to hear those remarks, and at the same time some of them may be shocked. This is the way Mr. Scaddan put it in connection with the discussion on the annual Estimates; I am reading now from Volume 39 of *Hansard*—

The policy of the Government is one of just doing what they choose with the funds of the State, so long as they can depend upon all their members when the Estimates are brought down. Only the other evening, when discussing the Southern Cross-Bullfinch Railway, we had the admission of the Premier that he was going to anticipate what Parliament would do in the future, and provide the money for the construction of this work out of Loan Funds. Without any authorisation from Parliament he was going to do an illegal act. . . . The Premier knows that members on this side of the House were determined that before that Bill passed they would get an assurance from the Government that the authority of the House would be obtained before the money could be expended. . . .

In answer to that the then Premier Mr. Wilson, interjected, "What you wanted to do was to discuss the question of constructing it out of revenue." Then Mr. Scaddan goes on—

I admit that we wanted to discuss that, but before that I stated that we should insist on the Government asking Parliament for authority to spend the money. We did not want the Government to commence the construction from Loan Funds without authority and then come to Parliament to endorse their action. . . . It is all very well for the Premier to say that we could have refused. I contend it is no use raising an argument of that kind, because we do not want to refuse to endorse the action of the Government in spending loan funds. The Minister knows that he and I:

colleagues are not responsible. The responsibility, after all, is on the people whose money they are spending ; then what is the use of complaining ! We want to compel this Government, together with any other Government, to first of all to get the authority of the representatives of the people before they spend the people's money.

Hon. J. E. DODD (Honorary Minister) : Parliament was in session then.

Hon. D. G. GAWLER : Yes, but the abstract principle that the Premier lays down is that he wants the authority of Parliament, and that applies to the present case. I understand the Premier's explanation is that he has an appropriation, but I have just endeavoured to show that it cannot be taken to be an appropriation. Then, as regards the second point, of ignoring this House in the Speech, I am quite prepared to accept the explanation which was tendered by the leader of the House, and I understand, is backed up by the Premier and the Attorney General, that no slight was intended to this House. I am satisfied with that, but I think the fact remains that this House should have been asked in the Address-in-reply jointly with the other House to ratify this expenditure. The Upper House is undoubtedly just as much part of the Constitution as the Lower House. Had the Government wished to get the money, had they come to Parliament for the money for these works instead of spending it as they did, they would have had to get the consent of both Houses of Parliament, this House as well as the Lower House. If they have to do that, surely a ratification of such an act when once done must come from the body whose consent would have been necessary for the expenditure in the first place. As Mr. Moss has pointed out, that is a legal axiom, and, apart from being a legal axiom, it is common sense. Therefore, the contention we are making is fully upheld : and instead of that portion of the Governor's Speech being addressed to the Speaker and the members of the Legislative Assembly, it should have been addressed to the President and the members of the Legis-

lative Council and to the Speaker and members of the Legislative Assembly. The Colonial Secretary, I understand, said that he took this amount to be in the nature of a grant, but the Speech shows that this is not a grant, but a ratification. If the Government were coming before Parliament for a grant there would be something in what the hon. member said, because he would ask the Legislative Assembly for a grant, and would have been ratified by both Houses, but the matter now under consideration is a ratification, not a grant, and for the expenditure to be legal it has to be approved by both Houses of Parliament. The Colonial Secretary also referred to other Speeches in previous sessions, in one of which my friend Mr. Moss is concerned, but the same argument applies to that, namely that a request to the House of Assembly may be made for a grant of money, but this is different from a request for a grant. Now, turning to the Speech as a whole, it seems to me that the most serious feature in it is an intimation from the Government that they intend to deliberately enter into socialism, because after all, that is undoubtedly what has to be recognised in this Speech. I do not know that we can altogether complain of this action on the part of the Government, because the electors, when they returned them with a large majority last year, had staring them in the face the Labour party's platform, which speaks of the nationalisation of the means of production, distribution, and exchange, and that being so, it is due to the electors that all parties should give the Government time to work out these schemes. My own idea is that they are going to be a failure and that the electors will wake up too late, but I think the fact should be recognised that the electors returned the Government to power knowing that this plank was in their platform. At the same time I do not say that they should be enabled to work out any schemes they may choose without placing them before Parliament. I do not think the electors ever intended that. On the contrary, they looked to Parliament to discuss

these schemes before approving of them. To my mind, socialism as against private enterprise is bound to be a failure. There is not in State socialism the same keen business intelligence, the same business knowledge, the same experience of markets, for instance, and, in particular, the same stimulant of private interest, which is found in private enterprise. To my mind, therefore, when State socialism is put against private enterprise, the latter is the better of the two. It has been suggested more than once during this debate that the trades unions are behind the Government. If that is so, then State socialism will find itself confronted with a very great difficulty. If the trades unions are behind the Government—and I shall endeavour to show that they are—it will mean that the unions will practically control the wages and conditions in every State enterprise, and they will be the power behind the throne. How these two powers can exist side by side I fail to see. Only in yesterday's paper we saw, in connection with the transeontinental railway, that before the lumpers would touch the sleepers sent from this State to South Australia they asked for a 33½ increase of their wages, and Mr. O'Malley gave it to them.

Hon. M. L. Moss: They were fools that they did not ask for 100 per cent. increase.

Hon. D. G. GAWLER: They were, but that is what must be met with in connection with all these State enterprises. The State will be looked upon by the workers as a milch cow, and I do not blame them if they get all they can. In regard to what I have said about trades unions being so influential with the Government, I want to draw attention to two speeches published in the press. One is an extract from the *Worker* of 21st May, and is by Mr. A. McCallum, under the significant headlines—"The A.L.F.," "The Power behind the Throne." It reads as follows:—

In responding to the toast of the A.L.F. at the G.W.U. social at the Trades Hall, Perth, the other night, Mr. Alex. McCallum made some forcible

remarks on the subject of the Labour Government and the power which stood behind it. He traced the growth of the A.L.F. during the last year. The number of financial members affiliated with the State executive had increased from 12,000 to 24,000, while in the local (metropolitan) council they had grown from 1,200 to over 6,000. The finances had increased, and the federation was the proud possessor of a magnificent site for the Trades Hall, which would ultimately be the finest Trades Hall in Australia. The combining of the industrial and the political sides of the movement had been accountable for a great deal of their recent progress. Each member of an affiliated organisation had equal rights with Mr. Scaddan or any Minister to have placed upon the party platform any matter he liked. The individual, through his union, and the union, through the district council, and the district council, through the State executive, were the forces that made up the party strength.

Then, during the Miners' Conference at Norseman, Mr. Glance, when speaking on the question of preference to unionists, is reported as follows:—

Mr. Glance opposed the motion on humanitarian grounds. He believed that the question should be dealt with by legislation, and the whole onus not thrown upon the unions. He moved the adjournment of the debate, and that the arbitration committee should be requested to make a recommendation in the direction indicated. They had a Government placed and kept in power by the trades unionists, and that Government should legislate compelling preference to unionists in every arbitration award and industrial agreement. He believed that there was no other satisfactory way of bringing about the necessary reform.

Hon. J. E. Dodd (Honorary Minister): What are you quoting?

Hon. D. G. GAWLER: From the *West Australian* report.

Hon. J. E. Dodd (Honorary Minister): The quotation you have read has been denied.

Hon. D. G. GAWLER : Well I have not seen the denial.

Hon. J. E. Dodd (Honorary Minister) : Remember that is not a verbatim report.

Hon. D. G. GAWLER : No. Of course, if he has denied it I will gladly accept his denial ; but I think it should be denied. Hon. member : have no doubt seen the tendency of the industrial movement to endeavour to control the political. In fact, resolutions have been passed in other States that the industrial movement shall control the political.

/ Hon. R. G. Ardagh : The Liberal League want to control the lot, according to their platform.

Hon. M. L. Moss : The Liberal League have nothing to do with anything but politics.

/ Hon. D. G. GAWLER : I think the hon. member must admit that when once the industrial comes into conflict with the political, the two cannot work side by side. One must go down, either the industrial to the political or the political to the industrial. As I have said, motions have been passed in other States saying that the industrial shall control the political. We saw a significant paragraph in the newspaper the other day. Hon. members will remember that at the conference in Sydney of the United Workers' Union of Australia, it was decided that members of Parliament were not wanted. The paragraph stated—

"In no case," it is declared, "shall a member of Parliament hold office or sit in conference. Should any official of the union attain Parliamentary honours the executive shall immediately declare such office vacant." The objection to Parliamentary representatives being concerned in the affairs of the union is that they exercise an influence against militant industrialism."

My own idea is that the union is perfectly right in keeping out members of Parliament. At the same time it shows, too, that the unions are not satisfied with the efforts which the members of Parliament have made, and that they expect them to be more pressing in their demands. The Government cannot keep before them

these two sets of interests, the interests of a particular section, the industrial trades unions, and the interests of the country as a whole, without doing injustice to the latter. In regard to the Arbitration Act, I regret to see in the Speech a reference to the industrial wrest, and an intimation of the Government's intention to bring in a fresh Bill, the only reference to what that Bill will contain being that it will be "free from legal technicalities and difficulties of procedure." Having in view the debate in this House last session, the Government should have said something of their intention to bring in a provision to compel the observance of awards and to prevent strikes taking place. However, I am sorry to see that the Bill is only to be free from legal technicalities and difficulties of procedure. Members will recollect that this Chamber has been fiercely attacked in respect to its conduct in connection with that Bill, and it has been contended that strikes which have taken place and those that might take place, would be the result of the manner in which the Council had dealt with that measure. I understood one hon. member, however, to remark the other evening that very few strikes have taken place lately, and if I correctly heard that remark, these two arguments are mutually destructive. If the action of the Council was to be responsible for strikes, and very few strikes have taken place, I do not think that all the harm alleged against the Council has been done. As hon. members know, members of this House did everything in their power to assist the provisions of that Bill, which did deal with technicalities and made the procedure freer. Mr. Moss has stated what this Council did, and I may reiterate what he said, viz., that we enabled the court to decide what was an industrial dispute ; we gave facilities for unions to get their disputes before the Court, and we passed several other provisions, in which we dealt with the technicalities and difficulties of procedure. All these matters were dealt with and passed by this Council. And I cannot see, therefore, how any industrial trouble which has taken place since then

can be said to be in consequence of the way the Council dealt with the Bill. Every dispute that has taken place since the Act was passed, to my knowledge, has been simply on the question of wages and conditions. We should remember this; the Government pin their faith to compulsory arbitration, yet what do we find? Since the Act was passed the Government themselves have overridden the Act. In the case of the lumpers' dispute at Fremantle, the lumpers struck work in the face of an agreement, I believe, and instead of the Government saying to them, "Go to the court," Mr. Dodd, and all honour to him for doing so, goes down and settles the dispute. In the case of the engineers' strike at Midland Junction, instead of the Government saying, "Go to the Arbitration Court," a special conciliation board was appointed. I contend the Government themselves have flouted the principle contained in the Act. Then again, Mr. Dodd, all honour to him again for his action, offered, in the aerated water employees' dispute, to conciliate. But that is not carrying out the Arbitration and Conciliation Act. The people should go before the proper tribunal and disputes should not be settled in the way that has been the case, for it is demoralising.

Hon. J. E. Dodd (Honorary Minister): You will remember there was a technical question.

Hon. D. G. GAWLER: I fail to see why the Government should flout the Act. Let them amend the Act and not say to the engineers, "There is a technicality in the Act preventing us going to the court, we will allow you to break the law." That is what I object to. The Government should have taken up the right stand and said, "You go to the court, we will try to amend the Act by legislation." I am one, as I said last session and I say it again, who is against the principle of compulsory arbitration. I do not believe in compelling men to go before a court. The fact of getting men on either side of the table and arguing the matter, and calling it a dispute, creates antagonism,

and there is very little likelihood of conciliation in the proceedings.

Hon. F. Davis: I Do you not think antagonism exists prior to that?

Hon. D. G. GAWLER: I do not think so, necessarily. That being so, if you have any tribunal at all, I am in favour of a wages board. But I believe that the whole thing will come back, sooner or later, to the question of economics and supply and demand. If you fix wages, why should you not fix the prices of goods? I cannot see any difference between the two. If you fix the price of goods, members who read history know that it has been an absolutely economic failure. If you fix the price of goods the vendor of the goods takes good care that he puts as little work into them, and as bad material as it is possible, and what the purchaser of the goods may gain in price he loses in the quality of the goods. That has been my experience from my reading. Then again, if you try to fix wages or try to fix the prices of goods, it is impossible to do so, owing to the board being brought face to face with economic changes of all sorts. I do not see how you can avoid it. You cannot say what is going to happen to the markets of the world, there are the climatic conditions and the local conditions of a place. If that is so, then I submit that any attempt to fix wages is bound to be a failure. Is that not the principle rather which was recognised in the Bill of last session? Members will recollect that there was a clause in that Bill providing that the workers might go to the court and ask for a revision of an award if the conditions were changed. The leader of the House and other members will recollect that we raised an objection to that; the employer could not base his contracts on an award, because if there was to be a change in the award it would upset his calculations. Is that not a recognition that sometime or other changes may take place that we cannot otherwise see? The original foundation of the Act was intended to be the capacity of the worker and the capacity of the industry to bear the wages. We have now come down to the requirements of the worker and

leave out the capacity of the industry. It really comes to a question of giving the worker so much out of the profits of the work, which is really profit-sharing, and if you come to profit-sharing—and there is no amount fixed yet for the worker to get—then you come to the vexed question of sharing the loss, because, if one shares the profits one must share the loss. The original foundation of the Act, which was the capacity of the worker and the industry to bear it, seems to be lost sight of. Mr. Cornell the other night, gave us some very interesting, and, at the same time, some enlightening views, in regard to trades unions, and I would like to draw attention to these. He said that the aims and objects of the unions were founded on reason and not on compulsion. At the same time they wanted when they went into court, to get all the equity and if the men got anything they would not be content but would continue until they got more. That is not founded on reason. Those are chiefly the points I wished to touch on in this debate. There is very little else which I propose to say. I would, however, like to refer shortly to the Licensing Act, which is to come before us. I regret, with other members, that the Act of last session is to be thrown practically into the melting pot; with hardly six months' trial it is to be recast, and probably recast in the direction of providing for a simple majority as against the three-fifths majority. Last session I strongly opposed anything but a three-fifths majority, and I shall do so again. It has been suggested by the Attorney General that if you allow ordinary questions between the elector and his candidate to be decided by the majority of the electors, by the same reasoning, the same thing should apply to the question of local option. But in the case of a Parliamentary election, although you say that a candidate should go in to support the views of the majority of the electors, still he goes in to hear the questions debated, and a question is not settled once and for all as it will be under the local option scheme. A candidate may change his opinion after hearing a

question thoroughly debated, therefore, the application is not a good one. As to Sunday trading, I see no notice in the Speech about that, but I understand it has been suggested that it is advisable to do away with the bona fide traveller clause and allow hotels to open for a limited period on Sunday. I am in accord with that. I supported the bona fide clause, but I think it has been a failure, and has been abused. I believe the only successful way of dealing with Sunday trading is to open the doors for a limited number of hours. The police will then be able to see that the law is not broken, because after these hours, I take it, if they find certain persons in a hotel they will be committing an offence, for they will have no right to be there. With regard to education, I notice that it is a scheme of the Government to appoint secondary schools and technical schools, and, while wishing education every success, I would like to say that I have very often thought whether or not we are over-educating our children.

Hon. F. Davis: It is hardly possible to do that.

Hon. D. G. GAWLER: I agree with the hon. member, from a theoretical and academical point of view, but I think that if you over-educate children you unfit them for their class in life.

Hon. W. Kingsmill: Not if you use the selected process.

Hon. D. G. GAWLER: I do not know what the selected process is, but children are frequently unfitted for their class of life, and I think this: it will have the effect, to my mind, unless very great care is used in the selection process, of driving a great deal of the population and labour into the towns, because, after all, nearly every girl and boy who is educated seems to be in a shop or a factory. I believe in fitting a boy or a girl for the life he or she is going to pursue. I do not think I need detain the House further; the debate has now gone to a considerable length. There was only one further question which I proposed to refer to, but it is so difficult to approach that I do not think I will, and that is the question

of the convention. I think I shall let the matter remain over until it comes before us again. I cannot see how the Government are justified in setting up one Parliament alongside another to deal with this Parliament. With these few remarks I join with Mr. Moss in supporting his amendment.

Hon. W. KINGSMILL (Metropolitan): One of the most interesting portions of this debate, and one that has perhaps the greatest bearing on Parliamentary practice and procedure, has been the attempt that was made, through a point of order, to infer that part of the amendment that has been moved to the Address-in-reply is a personal reflection upon the representative of His Majesty in this portion of his dominions. As I apprehend that later in the debate an attempt will be made to amplify this aspect of the question, I may be pardoned for dealing with it, though later I might have had something more to reply to. In the first place Mr. Kirwan, whom I am sorry to see is not here at present, when raising this point of order, dealt a good deal with a quality of His Majesty's representative which does not exist, that is, the personality of the Crown. Let me preface my remarks by saying that the Governor of a responsible colony is appointed practically to the same position as His Majesty the King bears towards his subjects and Parliament in Great Britain. That being so, I think we are justified in observing for our guidance those principles which are laid down in the British Constitution, a constitution which is all the stronger and all the more elastic and all the better suited to any emergency that may arise because it has not, so far, been crystallised into a written form. When we do this we find that throughout the stages of British government the steady process has been for the Crown's personality to decrease, and for the Crown to become more and more impersonal and more and more irresponsible for its actions.

Hon. J. W. Kirwan: Do you hold that the Governor must carry out the desires of the Executive Council, whether they be constitutional or not?

Hon. W. KINGSMILL: I am pleased the hon. member has come back to his place. If he will listen with, I hope, more attention than my poor effort may deserve to the remarks I have to make, he may then have an opportunity of replying to them, and no doubt he will make the most of that opportunity. When the hon. gentleman asked me this question, which has nothing to do with anything I have said up to the present, I was dealing with the state of affairs in England. First of all, in looking up this matter, it was borne into me that a great proverb which has passed into the English language has at the base of it this very system of impersonality and irresponsibility on the part of the Crown, which, I must confess, I had not, up to the time I made these investigations, attributed to it. I allude to the proverb which says "the King can do no wrong." I have looked up several authorities on this question. I am quoting now from *Todd's Parliamentary Government in England*, and I am quoting from this particularly because of the admirable style in which the work is written. *Todd* has the faculty of condensing into a few words what it takes other authors a much longer process to attain. *Todd* says—

The maxim that "the King can do no wrong," while it sounds like a moral paradox, is, in fact, but the form of expressing a great constitutional principle, that no mismanagement in government is imputable to the sovereign personally; whilst, on the other hand, it is equally true that no wrong can be done to the people for which the Constitution does not provide a remedy. These seeming anomalies are reconciled by the fundamental doctrine that the King can perform no act of government of himself, but that all acts of the Crown must be presumed to have been done by some Minister responsible to Parliament. This principle, now so well understood, was not recognised in its entirety until a comparatively recent period.

Hon. J. W. Kirwan: Does the book maintain that the King must uphold the Constitution?

Hon. W. KINGSMILL: Several copies of *Todd* exist in the library; it is equally open to the inspection of the hon. member.

Hon. J. W. Kirwan: I was looking for one; I know now where it was.

Hon. M. L. Moss: When you read it, your crude ideas will be modified.

The PRESIDENT: Order!

Hon. W. KINGSMILL: *Todd* goes on to say—

It has always been acknowledged, however, with more or less distinctness, that the King's Ministers were answerable for all acts of government that could in any way be traced to their advice or co-operation.

Again—

During the memorable debates of 1807, when the King dismissed his Ministers because they refused to sign a pledge which he had no right to exact of them, more intelligent and enlightened opinions as to the relative position of the King and his Ministers were expressed by all the leading statesmen in Parliament of every creed. On this occasion we find it distinctly enunciated as incontrovertible maxims: "1. That the King has no power, by the Constitution, to do any public act of government, either in his executive or legislative capacity, but through the medium of some Minister, who is held responsible for the act. 2. That the personal actions of the King, not being acts of government, are not under the cognisance of law." This is now universally accepted as sound doctrine.

Further—

As a pledge and security for the rightful exercise of every act of royal authority, it is required by the constitution that the Ministers of State for the time being shall be held responsible to Parliament and to the law of the land for all public acts of the Crown. This responsibility, moreover, is not merely for affairs of state which have been transacted by Ministers in the name and on behalf of the Crown, or by the King himself upon the advice of Ministers, but it extends to measures that might possibly be known to have emanated directly from the sovereign.

Again, dealing with the constitutional position of sovereigns—

In other words, the public authority of the Crown in England is exercised only in acts of representation, or through the medium of Ministers, who are responsible to Parliament for every public act of their sovereign, as well as for the general policy of the government which they have been called upon to administer.

Then with regard to the responsibility of Ministers for every exercise of prerogative—

This responsibility is now acknowledged to be thorough and complete; and as no public act of the sovereign is valid which is not performed under the advice of some responsible Minister, so, on the other hand, for every exercise of the royal authority Ministers must be prepared to account to Parliament, justifying it, if need be, at their own peril.

Let us see what the same authority has to say with regard to the framing of what is known as the Speech from the Throne. If the Crown in relation to Parliament has any personal power, if this Speech from the Throne is to be regarded as a personal act of the Crown and not an impersonal one, then the argument which has been raised on the point of order, decided by you, Mr. President, might have some application. That the Speech from the Throne, what we know as the Governor's Speech at the opening of Parliament, is not of such a nature, is abundantly proved by the extracts which I shall proceed to read from *Todd*—

According to modern constitutional practice, the first duty of Ministers in relation to Parliament is to prepare the speech intended to be delivered by, or on behalf of the Sovereign at the commencement and at the close of every session.

Further, again with regard to this matter of the Speech, with regard to its preparation, and with regard to who is responsible for the opinions expressed in it, *Todd* is not less explicit. He says—

Since the Revolution of 1688 there has been but one address from the

Throne at the opening of Parliament—that which is uttered by the mouth of the King, when present, or by the Lord Chancellor in his behalf, and by his express command, or by Commissioners deputed by the sovereign in his absence. And it has become the invariable practice and is an acknowledged constitutional right, to treat this speech, by whomsoever written, as the manifesto of the Ministers for the time being, so as to admit of its being freely criticised or condemned, with the usual license of debate.

I think the constitutional authorities I have quoted bear out my contention, that it is to the Ministers we look to justify and bear the responsibility for the Speech delivered by the Governor, that the Speech is delivered by the Governor, not in any way in his personal character but as the mouthpiece of the Executive, as really part of Parliament, and that in no way can any amendment to that Speech be considered to cast any reflection personally or otherwise upon the representative of the Crown in the State where that Speech is delivered. Perhaps I need not labour the matter any further except to deal with Standing Order 394, which has been called into requisition in an endeavour to prove the case which has been raised, and which I have no doubt will be further raised later on. That Standing Order reads—

No member shall use the name of His Majesty or of his representative in this State disrespectfully in debate, nor for the purpose of influencing the Council in its deliberations.

It is contended that the latter part of the amendment proposed to the Address-in-reply is a disrespectful use of the name of His Majesty's representative. Even supposing the Governor's Speech were a personal act instead of the impersonal act of the Governor, and if criticism were indulged in, I venture to say, in this House at all events, if not in other places, criticism may be respectful in the extreme, and that criticism does not necessarily mean, here at all events, personal abuse. I hope the day will never come when that meaning will be attached

to it. I hope the deliberations of this Chamber may always be characterised by the courtesy which has characterised them in the past with very few exceptions indeed.

Hon. J. E. Dodd (Honorary Minister): It was not so sometimes last night.

Hon. W. KINGSMILL: I was absent some part of last evening, but if I had been here and had heard the horrible example to which the hon. member alludes—I do not know what it is—I might not have made these remarks, but it may have been one of those rare occasions that I was alluding to. When we consider the right aspect of the case, that the representative of His Majesty is not personal in the matter, whether we take that view or take the wrong view of it that has been raised under the point of order only, that there is some personal application, even then it would be permitted to criticise in a dignified and respectful manner the Speech delivered at the opening of Parliament by his Excellency the Governor.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. W. KINGSMILL: Before tea I was dealing with Standing Order 394, which has been prayed in aid in support of a case for ruling the second part of this amendment out of order, and I was pointing out as well as I could that criticism, fair criticism, what I understand is known in journalistic circles as fair comment, need not be couched in disrespectful terms. I would point out how vital it is that this privilege of Parliament should be maintained, because nearly every act, every act of any importance at all events; every act of which Parliament is likely to take cognisance, which is performed by the Government in power, is performed finally and ultimately by the representative of His Majesty the King, as Governor-in-Council. And the Governor-in-Council acts just as much as Governor-in-Council when he delivers the Speech with which he opens Parliament as he does when he signs an Executive Council minute. When I say it is a privilege which should be maintained, I mean that if that privilege is

not maintained we hand over to the Executive of the day, whether it is this or any succeeding Government, the Parliamentary powers and privileges which Parliament, this Chamber and another Chamber, should retain in their own hands. If we say it is impossible to criticise, always remembering Standing Order 394, and criticise respectfully the actions of the Governor-in-General, then we are abrogating the powers of Parliament, in that it would be impossible for us to discuss or move a motion on any important action of the Governor; and I do not suppose for a moment that hon. members, not even those who take the extreme view that some hon. members have enunciated during this debate—not even the hon. members holding those extreme views would advocate so extreme a course as I have indicated. I have said in my opening remarks that with regard to those dominions of His Majesty the King which are endowed with what is known as Responsible Government this representative has practically the powers of His Majesty. The sole difference there is may be found if hon. members will consult, at the back of their books of Standing Orders, the two sections containing the instructions to the Governor. While it is clearly pointed out in these instructions that His Excellency the Governor of any self-governing State is responsible for certain actions, he is responsible, not to Parliament, but to that august person whom he represents in that State, His Majesty the King. That is the only difference, and under those instructions he may with practical effect dissent from his advisers. I refer more particularly now to the instructions which hon. members will find at the bottom of page 155, Instruction No. 6, which says—

If, in any case, he shall see sufficient cause to dissent from the opinion of the said Council he may act in the exercise of his said powers and authorities in opposition to the opinion of the Council, reporting the matter to us without delay, with the reasons for his so acting. In any such case it shall be competent to any member of the said Council to require that there be

recorded upon the minutes of the Council the grounds of any advice or opinion that he may give upon the question.

This is the only personal element which enters into the constitution of the Governor of a self-governing colony; and I would like to reiterate that the responsibility lies, not to the Parliament of the State, but to the head of the Parliament of the British Dominions, His Majesty the King. Well now, I do not know that I have any more to say in this connection, except to refer shortly to the latter part of Standing Order 394, which says—

No member shall use the name of His Majesty or of his representative in this State disrespectfully in debate nor for the purpose of influencing the Council in its deliberations.

Now, I do not think, indeed I refuse to consider that this point has been raised with a view to influencing the Council in their deliberations. That would be an impossible thing to think, and I refuse to attempt it. At the same time I would ask hon. members if, accidentally, without meaning that it should be done, this has occurred, not to let their minds be influenced with what is after all a mere bogey, and to remember that one of the dearest, the most precious of the privileges of Parliamentary Government, is wrapped up in this very point of order which has been introduced in this debate. Well, now, I have dealt at a greater length than I intended to, with what, after all, has not very much to do with the subject matter I have to deal with. The amendment which has been introduced is one which deals principally with constitutional matters. Now it is a peculiar feature of human nature that human beings are apt to neglect to the greatest possible extent those matters which affect them most. Surely the Constitution of the State and of the Empire under which we live is a matter which affects all of us, and a matter which I venture to say the average citizen of the State, the average subject of the Empire, takes very little into consideration, until some attempt is made by which the nature of that Constitution might be injured.

Hon. M. L. Moss : It is because the Constitution is good and free that they take so little notice of it

Hon. W. KINGSMILL : Quite so. It is because of this that human beings take no more notice of the Constitution which is so vital to their political entity than they do of that atmosphere without which they cannot draw the breath of life. Should it not, therefore, behove us, who are placed in a position where we have to guard that Constitution to see that it should be respected. In dealing with the first part of this amendment I would like to make my position perfectly clear. I would like to say it is not this particular enterprise which is being attacked, it is not this particular Government which is being attacked; it is simply a system which has been growing up of late years, and which it is high time some steps were taken to put a stop to. I admit, and perhaps the more freely on account of the remoteness of my offence, that in years past, as a member of previous Governments I have, perhaps, been guilty of something of the sort myself. I am prepared to admit that instances as glaring as this have occurred during the lifetime of the previous Government.

Hon. Sir J. W. Hackett : And of previous Governments.

Hon. W. KINGSMILL : Of previous Governments and of the previous Government. At the same time I would point out to the leader of the House that he is scarcely justified in claiming that it was right merely because the other fellow did it; that indeed only adds an aggravation to their case. Wrong can have no precedent. If it were not so it might be pleaded that as murders have been committed, and sometimes without retribution, that should be a course to be followed in the future. So, as I have said, wrong can have no precedent. Accumulated patience, or, rather, patience under accumulated misdeeds which have been going on, has at last reached breaking strain. It is unfortunate, I am sorry that it should have occurred during the regime of the hon. gentleman who leads the House. Let me say here, and I say it with all sincerity, that in response to the

appeal which was made by Mr. Moss to myself as one of those to whose hands, even to a slight extent, is entrusted the guardianship of the privileges of Parliament, that were it the case in respect to any other Government I would be forced to take the same stand as I intend to take to-night, and support the amendment. That amendment divides itself naturally into two parts. A denunciation of the system which the present Government have acquired from their predecessors of expending money without the previous consent of Parliament, forms one part. As I have said, I have been a member of Governments which have done this, and which have sometimes escaped scot free and at others have been subjected to pretty severe criticism on that account. Everyone thinks when he errs that he has the best of all extenuating circumstances. I have found sometimes that my critics did not share that view. Unconstitutional actions of this kind have been recorded of previous Governments, and I venture to say that one small action on the part of the late Government was even more unconstitutional than is this under discussion. I allude to a certain appointment made in connection with the then unborn University of Western Australia, the appointment of an organiser. Our friends at present in office only stand charged with violating one Act of Parliament, but I venture to say the last Government, in that appointment, violated two. They incurred expenditure which was undoubtedly not authorised, and they usurped the functions of a body which had still to be created, and in whose unborn hands were placed all the powers which were then exercised somewhat illegally by the then Government. The University Act—Section 13, I think it is—places the appointment of officers and the full control of all the affairs connected with the University in the hands of the senate. The appointment of the senate established the birth of the University. The senate had to be appointed within one year of the passing of the Act. During the time that elapsed between the passing of the Act and the appointment of the senate, which only took place two

or three days before the expiration of the year, a gentleman in England was appointed to the position of organiser, a position not recognised by the Act. Apparently his duties were to take the place of a senate until such time as the senate was appointed.

Hon. Sir J. W. Hackett : Of the vice-chancellor.

Hon. W. KINGSMILL: The place of the vice-chancellor. I would like to know was that appointment confirmed by the senate when the senate was appointed? And in the second place from what fund was that gentleman's salary paid between the time of his appointment and the confirmation of his appointment by the senate, if such confirmation took place? I give this example in order that I may emphasise the point I have endeavoured to make, that this act is the culmination of many acts which have taken place in the last few years, and in order to point out to the leader of the House that the excuse, if it be offered, and I think it has been offered by private members during this debate, that the previous Government did these things, forms no excuse in fact. It appears that the Government in the exercise of their wisdom have thought fit to enter the arena of the shipping trade. They do this with the expressed determination, a very laudable determination, of reducing the cost of living. The leader of the House when he was speaking, said that this expenditure was not unconstitutional, because it was taken from a vote of Parliament known as the Treasurer's Advance. The Minister must have smiled to himself inwardly. He did not smile outwardly. I gave him credit for that, for he kept a straight face when he made that excuse that this important departure, a totally new occupation for the Government to take up, was to be paid for out of the Treasurer's Advance account, a fund which it is laid down has to be devoted for certain purposes, the only one of which the hon. member pleads as an excuse is unforeseen expenditure. How could he plead that this expenditure was unforeseen when one excuse also offered was that this formed part of the policy of the Government at

the recent election. It is impossible to use both excuses. They are mutually self-destructive. I would like to know which one, if any, he relies upon, and how he can reconcile the fact that the expenditure of a sum of money amounting to £60,000, no inconsiderable portion of the £250,000 reserved for this purpose, is unforeseen when it is a fact he assures us—although we have nothing but his assurance—that this scheme has been carefully thought out by the Government. The only thing he can plead in excuse is that the thing bears on its face every mark of a hurried preparation. The wording of the Treasurer's advance to which I have alluded states:—"To enable the Treasurer to make advances to public officers and on account of other Governments, etc." It is not for that. "To grant any increases to salaries which may be granted as the outcome of the reclassification of the Public Service now proceeding." It is not for that. "And to pay expenses of an unforeseen nature." I think I have proved that it was not unforeseen.

Hon. M. L. Moss: Look further down. It states to be afterwards submitted for Parliamentary appropriation.

Hon. W. KINGSMILL: Yes. But I am endeavouring to prove that by no stretch of imagination, even if we extend the greatest courtesy possible as I wish to do to the leader of the House, can I bring this expenditure within the four corners of the description of the Treasurer's advance. It is not a matter of urgency. It is not an unforeseen expenditure. It is not an emergency like an epidemic, which unexpectedly breaks out, or repairs rendered necessary by flood or storms, matters which I believe are described in bills of lading as "the act of God" or "the King's enemies." But to endeavour to bring under this description such expenditure is—if I may be pardoned for using the expression—absolutely absurd, I will not say an insult to the intelligence of hon. members, but an undue tax upon the credulity of hon. members and a tax which I am not prepared to pay. A matter of urgency may be pleaded, and this matter of urgency necessitates to some extent a

discussion on the merits of the case. From a strictly constitutional point of view the merits of the case have nothing to do with it. Let us consider the merits of the case, and let us consider in this connection the most forcible and informative speeches delivered by Mr. Connor and Mr. McLarty than whom there are perhaps no greater authorities in Western Australia on this subject. After hearing these speeches from men who may well from the experience of years be classed as experts, are the Government prepared to defend the merits of their case? Are they prepared to say that they really believe that this new venture is going to be a payable one, and when I say this new venture I mean this venture as presented to this House—the carriage of live stock from Kimberley to the Southern ports. I think so far as a good many members are concerned, and I venture to say as far as some of the members of the Government are concerned, the speeches of the two members I have mentioned shed a new and most unpleasant light on the subject, which, except for these spots of light, remains to a great extent in darkness.

Hon. M. L. Moss: You should be sympathetic because they say these are unforeseen circumstances.

Hon. W. KINGSMILL: I am surrounded by an embarrassment of riches regarding the points of attack, that one scarcely knows at which angle to take these fortifications behind which the Government shelter themselves, and most of their angles are sources of weakness rather than of strength. I did not hear the whole of Mr. McLarty's speech; but Mr. Connor, in his exhaustive series of figures went to prove that the price of beef sold wholesale in, I understand, an open market free for any person in Western Australia to enter and buy, was from 2½d. to 3½d. per pound.

Hon. F. Connor: Up to 4d.

Hon. W. KINGSMILL: Well, let us say at an average of 3½d. Does not that point to the fact that the high cost of beef is not affected by anything that deals with that beef between Kimberley and Fremantle?

Hon. F. Connor: That is right.

Hon. W. KINGSMILL: If the Government are going to cheapen beef to the consumer, steps will have to be taken not between Kimberley and Fremantle, but somewhere between Fremantle and the consumer, and if that is so, will the leader of the House inform us—whether it is any part of the policy of the Government or whether it is again to be an unforeseen circumstance—that they will engage in the retail distribution of this beef? Furthermore, I am inclined to sympathise with Mr. Connor when he puts forward the plea, and he put it with a great deal of pathos, that the only people who were attacked were the beef buccaneers. Nothing was said about the sheep assassins or the pig pirates, or anything of that sort. The only portion of the community who had incurred odium for the high cost of living were those, I might almost say unfortunate people in Kimberley, who have devoted many of their years and thousands of pounds endeavouring to bolster up what has not been an altogether successful industry. If it had not been for the possibilities opened up, not by the effort of any Government, but by the effort of private individuals to get an export trade to these populous centres that lie not far from the North-West coast, the position of Kimberley would have been desperate indeed. I am inclined to agree with the view that the Government are starting at the wrong end. If they must insist upon going into shipping ventures, they should have proceeded in a smaller way. They should have chartered a steamer for three months or six months or a year, and found out where they stood and the difficulties of running the trade on the coast, which is one of the most difficult to run in Australia, and I think I might almost say in the world. They are running a trade on a coast where there is no coal supply, where every ton of coal they burn has to be taken to depots along the coast, and surely that is a very great drawback. Furthermore, this point arises: it may or may not be a legitimate branch of Government enterprise, to acquire control of a monopoly. A certain amount of doubt may exist in the minds of most men about that point;

great deal more doubt must exist in the minds of everybody as to whether it is wise for a Government to undertake, not a monopoly but a competitive enterprise, and a competitive enterprise against ships which are running in a trade with coal at both ends of their journey instead of only one. Those ships which trade to Singapore have the opportunity of getting coal at both ends of the journey. The Government if they stick to their expressed intention will never have the opportunity of getting coal from the other end. In connection with this, my attention has been drawn to a most interesting article in to-night's *Daily News*, wherein an interview is published from the *Times*, of Ceylon, with the hon. gentleman who holds the important post of Attorney General for this State. That gentleman says they are going to run steamers for a radius of a considerable distance from the shores of Australia. They propose to visit certainly warmer climes—Singapore, Borneo, and Java, and propose to enter into traffic with the accursed alien apparently and establish trade relations with Ceylon. I presume the hon. gentleman who gave that interview gave it as the accredited representative and mouthpiece of the Government. I pause for an answer.

The Colonial Secretary: I have not seen the article.

Hon. W. KINGSMILL: I am sorry I did not call the Minister's attention to it before. I myself saw it only about half an hour ago, and I was very interested in it. When I saw it the thought struck my mind at once—I can imagine this gentleman metaphorically rolling up his sleeves, getting out his case of lancets and saying, "Ho, Ho! blood will flow before this scheme has petered out," and looking round for the fattest and most full-blooded individual to go through this process, which is so ably and eloquently described as the "Bleeding of the fat man"—I am afraid that from the point of view of reducing the cost of living this experiment, and after all it is only an experiment, is likely to be a very expensive one for this State. Recognising as I do that it forms this unforeseen circumstance, part of the policy with which the Gov-

ernment went before the electors, I admit that if they had adopted the proper course I think I should have been persuaded to give them help to obtain the Parliamentary sanction they require. I am perfectly willing to do anything I can to help the Government in this most laudable object of reducing the cost of living. It is interesting to find that in Canada this high cost of living formed the subject of a commission not very long ago, within two years at all events, and that commission in their report said that, while a great deal should be done to reduce the high cost of living, some steps should be taken to reduce the cost of high living, and they pointed out, what has been apparent to anyone who thinks for himself, that after all during the last few years, as this social system of ours has been becoming more complex, that the necessities of life are embracing matters which some years ago did not appear. I should be the last one to endeavour to take away from any class of the community that comfort to which they are entitled, but I think there is something in the remark which was put forward by the commission in Canada, and I think that a great deal of what is called in Australia distress, and what in any other country would not be called by that name, is caused by the extravagance of the people themselves. I think there is a good deal in that, and perhaps it is a bad thing for our national life that circumstances in this country of ours are somewhat too easy. However, this is merely by the way. I fancy that the Government are starting at the wrong end. I think if the Wilson Government had carried into operation that scheme of theirs of erecting chilling works at Wyndham, a great deal more would have been done in the way of cheapening the cost of living than is likely to be done by the purchase of these steamers. But there is hope for the present Government because if they establish these chilling works themselves, the boats will be available to carry chilled meat instead of the live stock. I commend that project to their consideration. I would recall the remarks of Mr. Connor in regard to the threatening danger, and his advice to "get busy,"

an Americanism which the hon. gentleman used. The hon. gentleman has come back from Manilla full of strange American expressions, and if, as he says, the Government do not "get busy" the Federal Government will get in ahead of them and the State will lose the chance of getting the Kimberley cattle, and also those of the Northern Territory, which now belongs to the Commonwealth, and which would have been secured by this State if the frozen meat works had been in operation. In my opinion these works would have been in operation had it not been for the fact that the private company floated in London has failed to carry out, I will not say its promise, but the prospect they held out of establishing abattoirs and the freezing works there, whereby to a great extent they deterred the Wilson Government from erecting those works sooner than they would have done.

Hon. F. Connor: The Port Darwin crowd want to get busy and deliver the goods.

Hon. W. KINGSMILL: That is another Americanism that I have learnt, "deliver the goods." I was going to say something about the suitability of the vessels but I do not think it is necessary to do that. There is one thing I do give the present Administration credit for and that is I quite agree with them that there was some urgency in the matter of the acquisition of the vessel for the conveyance of the South-Eastern mails. I agree with the action the Government took in buying the "Una" for £2,000, and I think it must be a good bargain for them. That action at any rate was well fitted to meet the urgency of the circumstances.

Hon. J. E. Dodd (Honorary Minister): You do consider that a good bargain?

Hon. W. KINGSMILL: I suppose it is.

Hon. M. L. Moss: They had no right to buy the "Una" either.

Hon. W. KINGSMILL: The hon. member is a much harder critic than I am.

Hon. R. J. Lynn: They got a bargain there.

Hon. W. KINGSMILL: I thought it must have been a good bargain and I waited for an interjection of that kind from someone who knew, and at last I got it. The circumstances which I think I know something of demanded that the Government should take same action in the matter.

Hon. M. L. Moss: Do you know how much they have spent on her since they got her?

Hon. W. KINGSMILL: No. With regard to the urgency of the purchase of the steamers "Mongolia," "Wexford," and "Darius," not all the carefully stage-managed spontaneity of Esplanade meetings, not all the eloquence of the stone-throwing McCallum, who in his youth always struck with unerring aim the wandering dog, will form the least excuse for considering this expenditure to be due to unforeseen circumstances. With regard to this Esplanade meeting, it has been said that the Government is, to some extent, the creature of the Trades Hall. Whether that be the case or not, I do not know, but I think it is a very bad thing, if it is the case, and I would commend to hon. members the opinion of a gentleman who is fast coming into prominence as a constitutional authority and as a political economist. I would commend in one short sentence his opinion of such a state of affairs—

A legislature composed of persons who were the passive instruments of organisations external to Parliament would possess the advantages neither of representative government nor of a direct democracy.

Hon. M. L. Moss: Who are you quoting from?

Hon. W. KINGSMILL: Mr. W. Jethro Brown, who was for some years professor of constitutional law at the University College of London, and who is now a professor of law at the University of Adelaide. I am not in the habit of getting whatever ideas I have on political economy from books, but when you find a whole chapter on political economy more particularly applicable to the present trend of events, when we see that on both sides associations and organisations out-

side Parliament are tending to influence the deliberations of Parliament, and when we find a whole chapter of reflections on the present trend of events in that direction condensed into a few words, then I think those words are worthy of being quoted. The second part of the amendment deals with what has been described as a slight to this House. The leader of the House has said that no slight was intended, and, so far as I am concerned, I accept that statement with the utmost credence. I believe that the slight, on the hon. gentleman's part at all events, was absolutely unintentional, but then the hon. gentleman says the Governor's Speech is similar in construction to other Governors' speeches. That is not so; as a matter of fact it is a long way from being so. This Governor's Speech, in addition, contains a clause relating almost entirely to the ratification of this proposed expenditure, and ratification is expected only from one branch of the Legislature. Whether the slight be intentional or unintentional, and I can acquit the Ministers of this House of any intentional slight, still it is there, and this House would be forfeiting its rights, or going to some extent in that direction, if it allowed this Speech to pass without attention being called to it. I cannot make out why some members in this House, and some members out of it, display what I can only classify as a sort of unreasoning hatred to this Chamber. It cannot be on account of past misdeeds. We have in Western Australia as liberal a class of legislation as exists in the Commonwealth. Every statute that exists here has first received the assent of this Chamber; how then can it be said that we have stood in the way of liberal legislation? Again, there is raised the question as to whether we should have a unicameral or a bicameral system. Let me point out to hon. members, more especially to those who are prepared to commit political suicide in this House and drag down the House with them, that in the history of the world it has only been in positions of the most extraordinary tension that the unicameral system has been adopted. Let me quote the example of the mother country. During the period of the Pro-

tectorate, and when that Protectorate had rendered itself hateful to the people who had shed their blood for political liberty, and by the bigoted narrowness of its political thought, then they returned to the bicameral system. I presume it is possible that it might arise, even in a State like this, for a similar thing to come to pass under a similar set of circumstances. Some gentleman who is not a Cromwell would issue an order—and I understand it is about to be issued, if not already issued, in another place—and point to the end of the Table and say, "Take away that bauble." Things are certainly trending in that direction.

Hon. F. Davis: It has gone.

Hon. W. KINGSMILL: Yes, and who is the Oliver Cromwell, and to what extent does he fill the specifications of Cromwell? I was going to refer to another instance. In France after the French Revolution, and until the people came to their senses, they had a unicameral system, but, as I have already said, that reversion to the unicameral system has only taken place under circumstances of the most extraordinary tension, and when those circumstances have been relaxed then the people in most cases have returned to their senses and adopted the bicameral system of government. Mr. Davis has spoken about Canada. He alludes, I presume, to the provincial governments of Canada which exist under a Dominion, which is not a Federation as ours is, but a unification. I am well aware that the hon. member's wish is father to the thought, but, in that connection, I would beg to bring to his mind the fact that I am speaking about what are in Australia, at any rate, sovereign states, while he is speaking about what are only portions of a unification of which I hope Western Australia will never form a part. It is true that in Crown colonies we had the unicameral system, but in every case at the will of the people when responsible government has been granted the bicameral system has come with it. Now, there is another thing. I venture to say that in this atmosphere measures must receive more careful and more independent discussion than they can in a Chamber where the issues are clouded by party

feeling. This has been, should be, and I think is, the House of individual opinion, a House where any member who comes from the country can express exactly what he feels on any given subject, and where the result of the deliberations are the result of the merging of those opinions into a concrete whole on the one side or the other. And I venture to say that in regard to another place such a possibility could not be entertained. For instance, imagine the way in which a Liberal leader would stand aghast when he heard some of the opinions indulged in by my friend Mr. Sanderson. I can imagine, on the other hand, the horror with which a Labour Premier would listen to some of the utterances of Mr. Cornell, a gentleman who out-Herods Herod, and who goes much further than the Labour Government go. I shudder to think what would happen to him and the Labour party if ever he gets his own way in this Parliament.

Hon. F. Davis: By returning to the simple life?

Hon. W. KINGSMILL: Thank goodness, if the hon. gentleman attempts anything of that sort we have those persons in blue outside the chamber who will restrain his inclination. Now while that hon. gentleman was speaking it occurred to me what a wonderful advance in political thought had taken place in not so many years. There was a man in England who spoke, lived, and had his political being something like seventy years ago. He was a philanthropist, and well in the van of political thought; he was, in fact, a bit ahead of his time, and he put up one of the greatest fights against slavery that has been put up in the British dominions; I allude to Sir Thomas Fowell Buxton. Now, Sir Thomas Fowell Buxton was one, who for his time was a most advanced man, and actuated by only the most philanthropic principles, and when speaking in the British House of Commons on a certain Act he used words which I will read to hon. members. I may explain that I had just read them before listening to Mr. Cornell, and the contrast between then and now seemed to me very striking. Sir Thomas Fowell Buxton said, "it was necessary that the bulk of the people

should be very poor in order to render them laborious, and that the lower ranks should have little prosperity in order to excite their industry." Now, he was an advanced man; to-day we have in this Chamber an advanced man, one who actually said he was actuated by philanthropic motives, and he said—I am not allowed to quote him verbatim, and if I slightly misquote him I hope hon. members will correct me—"Make no mistake about what the working men and the working women want in Western Australia. First they want good wages, next they want better wages, after that they want more wages, and then they want the lot." Now, I venture to think that Mr. Cornell is just as far in advance of his time as Sir Thomas Fowell Buxton is behind it. I do not know what he is doing in the ranks of the Labour party. These successive stages are all very well, except the last. The Labour party want good wages, better wages, and then more wages, but they are not going to take the lot. I foresee at no very distant date such a split between socialism and unionism as will shake—shall we say unionism?—to its very foundations. There is one matter in connection with the speech to which this address refers that I cannot allow to pass, more especially as it refers to my own constituency, the Metropolitan Province. That is the proposed nationalisation of the tramway system by the Government. Personally, I think that in the present circumstances nationalisation is perhaps the best way out of what is undoubtedly a difficulty, but at the same time I am not prepared to be a party to any confiscation of the rights of the city of Perth. The city of Perth has after the expiration of certain years a reversionary interest in those trams. Now, I would not like to see the reversion from a wider to a narrow form of government; that is, I would not like to see the Government after nationalising the trams handing them over to municipal control, but I think some provision should be made to go a good deal further than the Government appear to think necessary in the terms of the proposals they have made—I am wrong in using the term "the proposals" they have made, because

the matter is entirely in the hands of the legislature—but the terms they have indicated as being what they will lay before Parliament. I think that these proposals do not go far enough. I say that the reversionary ownership is not sufficiently recognised in the terms which the Premier laid down during a memorable interview between those connected with the municipality of Perth and those other bodies interested in the tramways.

Hon. F. Davis: What do you suggest?

Hon. W. KINGSMILL: I am not going to deal with the matter in the manner in which the Government have dealt with the shipping trade. I propose to give it at least some little thought before making a proposal. There is just one other little matter I would like to allude to, and that is the proposed site for the University. We have not been let into the secret of the governing body of the university; recommendations have been made by a committee, upon which I had the honour of serving, submitting certain sites for the consideration of the Government, but really, I assume, for the consideration of the Senate. I hope that the Senate when considering the site will remember that one of the greatest functions of a modern university is to provide a site that will give easy access to the people, and that accessibility is one of the main principles that should determine them in choosing a site for our modern university. At a modern university a great proportion of the students are non-graduating; by non-graduating students I mean those who, though not desiring to take a degree, avail themselves of part of the university course and attend lectures in special subjects. Those people may be engaged in their occupations in the day and desire to attend lectures at night, and if the university is placed away from the city the authorities will be doing those desirous of getting these educational advantages a very great injustice indeed. I have always been in favour of advocating the site opposite this building, now occupied by the Observatory, with a recreation ground in King's Park, in addition to which the land between Wilson street and Hay street should be reserved; and,

if necessary, I would be prepared to sacrifice what there is of this building in order that ample grounds should be available. This offers easily the most dignified, convenient, and accessible site of all those offered to the committee. I hope that I will not be thought presumptuous in offering this view to the august body which has been nominated by the Government to guide the destinies of the university. In regard to the composition of that body, I desire only to say that, in my opinion, if the body had been nominated by a Liberal Government they would not have put Mr. Clarke James on it simply because he happened to be the secretary of the Liberal League, and I think the creation of a university senate should be entirely above political considerations. There should be on that senate gentlemen appointed for their knowledge of the subject, and not to represent any particular shade of political thought. Now, Sir, as I have already stated, it is my intention to support the amendment. I would do so as a private member, and I would be bound to do so after I have been named by Mr. Moss as one of those, in whose hands is reposed, to some small extent at any rate, the protection of the privileges of this House. I differ from that gentleman in regard to the order in which he places me. Both you and I, Sir, have fewer opportunities than the gentleman who for the time being leads the House to uphold its privileges; you, Sir, more than I, but undoubtedly the leader of the House more than either of us. I am glad to have the assurance of the Colonial Secretary that it is through no intention on his part that the slight referred to in the second part of the amendment has taken place. I apologise for having spoken at a far greater length than I intended to do, and I have, in common with other hon. members, to congratulate those gentlemen who have come into the Chamber and also to congratulate this Chamber on the additions to its ranks.

Hon. J. W. KIRWAN (South): We often have to thank Mr. Kingsmill for an interesting phrase, and his present speech

has supplied us with a very interesting phrase in that term which he has applied to this Chamber. He has described it as a House of individual opinion. I wonder if it is since the speeches on this amendment and Address-in-reply have been delivered that that honourable gentleman has seen fit to abandon the term "non-party Chamber." I have listened to a number of speeches to-day and a great number of speeches yesterday and I think it is about time some one said something to show that the present Government after all are not wholly bad. I have heard non-party members of this non-party House, one after the other, get up, and every little fault that can be exaggerated in connection with the present Government has been exaggerated to an unlimited degree. I can give many instances of that. Only yesterday an hon. member, who for many years occupied a responsible position in this Chamber, and from whom we should expect broad and generous criticism, found serious fault because some new discoveries upon the goldfields were referred to in the Governor's Speech as "new fields," instead of "new discoveries." These are only examples of many that could be found throughout the debate, where any slight slip has been exaggerated by this non-party Chamber and put in anything but a non-party light. Congratulations seem to be going round, and I offer my hearty congratulations to all the non-party members of this non-party Chamber on the very excellent way they have carried out the duties of an Opposition party. In another place we saw a pathetic spectacle the other evening of a censure motion supported by only eight members in a House of fifty. It seems to me that the non-party members of the Council are determined to make up by the severity of their criticisms what their party lack in numbers in the other House. The Government came into power last October. I think it is only fair to remember in common justice the circumstances under which the Ministry took office. I was one of those who, during the last general elections, supported the Government,

and I think there were a large number of people throughout the State, as the result of the elections showed, who opposed the Wilson Government because of the demerits of the late Ministry rather than the merits of the then Opposition. A great many people did so with a good deal of hesitancy. The Labour party were a new, practically untried party in this State. Part of the programme they presented seemed to be of a somewhat experimental and perhaps visionary nature. There were many people who supported the Scaddan party with a certain amount of hesitancy, because of a doubt as to what would be the result of their return to power. I have much pleasure in saying to-day that I am perfectly satisfied and very well pleased with the way the Government have carried on their work, both in regard to administration and legislation. They came into power under circumstances which were rather difficult for them.

Hon. M. L. Moss: You are getting a bit of a socialist.

The PRESIDENT: Order!

Hon. J. W. KIRWAN: I do not object to interruptions, I rather like them, and before I have finished I shall say something in connection with the remark made by my friend; but I was referring to difficulties under which the Government came into power, and I do not feel at this stage inclined to be led into a controversy as to the merits or demerits of the Labour party or as to the extent of the socialistic position of myself or my friend. Socialism is a matter of degree. An eminent statesman, the late Lord Salisbury, once said, "We are all Socialists to a certain point." That is all I can say in reply to what the hon. member has interjected. I would remind the House of the circumstances under which the present Government came into power. They were face to face with a bad season. Although the finances were represented in a rather satisfactory state, we cannot altogether forget the fact that when the present Government came into power there was a minute by the Under Treasurer, made prior to

the general election, which estimated that the deficit at the end of the then financial year, that is, at the end of June last, would be £116,000, this being based on the assumption that the expenditure and revenue would be the same as they had been during the previous year. The Government came in under circumstances that called for an increase of expenditure and a decrease in revenue. The decrease in revenue was bound to occur by reason of the bad season and the prospects of a bad season which tended to limit the expenditure of capital; and the increase of expenditure was due to the fact that it was necessary that heavy expenses should be incurred in bringing certain of the public servants up to a living wage; and a large expenditure had to be incurred for a water supply to farmers in the dry area. These factors ought to be taken into account when passing judgment on the Government. And I have to congratulate the Government upon grappling with two of the great evils of the State. They have shown courage in doing so, and I believe that if this Chamber does not restrict their career of usefulness they will ultimately abolish these evils altogether. One of these evils they have practically abolished by means of administration. I refer to the evil of the speculation in agricultural lands. They introduced a wise and prompt rule in regard to that. They are also the first Government that have had the courage to grapple with the centralisation evil, as was evidenced by their bold policy in bringing forward the Esperance railway. This railway has met with a great deal of opposition in Perth because of some foolish wealthy land owners in Perth considering that their property would be depreciated in value by the construction of the line. Men of influence have been able to influence previous Governments against the railway, but the present Government have had the courage to say, "We will be fair to every portion of the State; we will not be influenced by men of influence; we will not consider private interests, but will seek to develop every portion of this vast State and seek to people its vacant spaces." Now, I would

like to refer to the point raised by Mr. Kingsmill. I am sorry he is not in the Chamber. I would not again have referred to the amendment proposed by Mr. Moss as to its bearing upon a quarter that perhaps he did not intend it should bear upon, because I have great respect for what you, Mr. President, said the other day, as to the way in which we should refer to the personal responsibility of His Excellency; but as Mr. Kingsmill went fairly extensively into the question, I shall take the opportunity of also quoting *Todd*. I do not know what particular volume of *Todd* Mr. Kingsmill had.

Hon. M. L. Moss: He was quoting from *Todd* on the British Constitution.

Hon. J. W. KIRWAN: I understand that. I take it that Mr. Kingsmill was quoting from *Todd*, but not in reference directly to the British Colonies. The book I quote from is *Parliamentary Government in the British Colonies*, and the second edition. One aspect of the point Mr. Kingsmill did not seem to refer to was that the Governor of a British Colony is not a Viceroy. There is an important difference in that. I claim that the King must uphold the Constitution, and so also must his representative. It is laid down on page 35 of this volume—

It is true that the Governor of a colony is not a Viceroy, and that unlimited sovereign power is not delegated to him.

What I will read is borne out, not once but twenty or thirty times in this book. No objection was taken so far as I was concerned to the first part of the amendment. It was to the second portion I objected, which says—

The proposal contained in your Excellency's Speech, implying that a ratification by the Legislative Assembly of such unauthorised expenditure is sufficient in law, ignores the constitutional rights of the Legislative Council.

I claim that this statement by implying that his Excellency had failed to uphold the Constitution is a distinct reflection on the Governor of the State.

Point of order.

Hon. M. L. Moss: You are out of order in saying that, and it is distinctly opposed to the President's ruling.

The President: The hon. Mr. Kirwan has the Chair.

Hon. M. L. Moss: The hon. member has no right to make that observation. It is against the ruling you, Mr. President, gave. You said the whole amendment was perfectly in order, and that no attack was made upon his Excellency the Governor, but that the attack, if any, was an attack on the Ministry. Now the hon. member flies in the face of that ruling and should be called upon to withdraw.

Hon. J. W. Kirwan: I have the greatest respect for your ruling, Mr. President.

Hon. M. L. Moss: I still want your ruling, Mr. President.

Mr. President: Mr. Kirwan must sit down, as Mr. Moss has risen to a point of order, but I have not heard the point yet.

Hon. M. L. Moss: I thought I spoke distinctly. You have ruled that the amendment is in perfect order. The hon. member has objected to that ruling, in effect, because he says there is a reflection in the amendment on his Excellency the Governor. The hon. member is out of order in disputing the ruling of the Chair. If he desires to do it, he should have done it immediately the ruling was given and by way of a substantive motion.

The President: The hon. member may be right, but he is doing more than asking my ruling. He is making a speech.

Hon. M. L. Moss: No, I am directing your attention to what the hon. member should have done at the time the ruling was given. He has disputed the ruling now, and he is not justified in doing it.

The President: I rule that Mr. Kirwan is in order in his manner of referring to it. He cannot discuss the amendment without touching the question, and I did not understand that he was speaking against my ruling of the other day.

Debate Resumed.

Hon. J. W. KIRWAN: Had the hon. member allowed me to finish my remark, I would have added that I always have the greatest respect for the ruling of the Chair, and that on this occasion I was

merely replying to the statement made by Mr. Kingsmill, and not in any way to dispute the ruling Mr. President gave the other evening. Mr. Kingsmill quoted from *Todd*, and I say there are dozens of quotations, each one of which bears out the attitude I am taking up.

The PRESIDENT: It would be a service to the Council if the hon. member would mention the page which he quotes.

Hon. J. W. KIRWAN: On page 51 of the second edition of *Parliamentary Government of the British Colonies* there is this reference to the powers of a constitutional Governor—

In the event of a recommendation being submitted to him that involved a breach of the law he would be obliged to refuse to sanction it.

There it is mandatory; it is not permissible. The particular thing is that because of the form of this speech it is claimed that the Speech ignores the constitutional rights of the Legislative Council—a distinct breach of the law. Now on page 632 we have the following, which is still stronger—

But while it is the desire of Her Majesty's Government to observe to the utmost the principle which established Ministerial responsibility in the administration of Colonial affairs, nevertheless it is always the plain and paramount duty of the Queen's representative to obey the law, and to take care that the authority of the Crown, derived to his Ministers through him, is exercised only in conformity with the law. An instance of the strictness with which the principle is maintained by the Imperial Government, and of the serious consequences attending upon any deviation therefrom on the part of a colonial Governor, is afforded in the case of Sir Charles Darling, who was recalled from his post as Governor of Victoria in 1866, because of his departure from the rule of conduct prescribed by the Queen's Government, of a rigid adherence to law in all affairs of State.

To say that the Governor read a Speech which in form ignored the rights of the Legislative Council is certainly denying

a rigid adherence to the law. There is another despatch of January 7th, 1870, referring to the Governor. It will be found on page 634 as follows:—

If the law required him to do one thing and his Ministers recommended him another course it was his plain duty to obey the law.

Hon. D. G. Gawler: But can it be said that the amendment speaks disrespectfully of the Governor?

Hon. J. W. KIRWAN: If the amendment is a vote of censure on the Governor, it is another matter. I will read here what is exactly said upon that point.

Hon. M. L. Moss: Our point is that—

The PRESIDENT: The hon. member must not interrupt.

Hon. M. L. Moss: Surely an interjection is permissible sometimes.

The PRESIDENT: Sometimes.

Hon. M. L. Moss: Well, the hon. member does not grasp the point, and I wish to put him right.

Hon. J. W. KIRWAN: I said in the course of an innocent interjection, when Mr. Kingsmill was speaking, that the King himself was supposed to uphold the law. The hon. member—and I have a great respect for his legal position, which is very high in the State—interjected that mine was a very crude remark. Still I think I shall not go very far wrong if I say that the King himself is supposed to uphold the Constitution; and I say further that it is still more the duty of the Governor to uphold the Constitution. Let me say in answer to Mr. Gawler that I feel a certain amount of difficulty in dealing with this matter, because, although one perfectly accepts Mr. Moss' statement that the amendment is not in any way meant except as a reflection on the Government themselves, still there is a certain amount of difficulty in dealing with the question. I will simply read once more from *Todd*, at page 53, as follows:—

Neither is it constitutional for a local Legislature to pass a resolution of censure upon a Governor for his conduct in office unless as a preliminary to an

address to the Crown to remove an obnoxious representative.

I will say very little more on that particular point; but I do think that in view of all these statements that can be quoted—and there is a number of others that might be quoted from this work—and in view of the undoubted interpretation that is likely to be placed upon this resolution, and which cannot help being placed upon this resolution in other quarters, I think it would be a very graceful act on the part of the hon. member to accept the suggestion thrown out by you, sir, and frame his resolution in such a way that it will serve the purpose he has in view and at the same time preclude any possibility of misinterpretation. With his fine points of law the hon. member may possibly see the meaning in quite another light, but nineteen out of twenty persons would take it as I take it. Therefore, I sincerely trust that, even at this late hour, the hon. member will recast his resolution in such a way that it will achieve the object he has in view, and at the same time, remove the objection which, to me, is very evident in it.

Hon. M. L. Moss: How, in your opinion, should it be framed?

The PRESIDENT: The hon. Mr. Kirwan has the audience.

Hon. J. W. KIRWAN: I am surprised that a proposal of this kind should come from the quarter it has. I can well imagine the howl of rage and indignation that would go out to the country through the ranks of the party which is represented in this House by a non-party party, if it were said that a Labour member had moved any such amendment. I am astonished that this resolution should have come from the quarter it did. Mr. Moss has dealt with the constitutional aspects of the Government's action in the purchase of steamers. If the Government have acted unconstitutionally the number of cases are limitless where expenditure has been incurred by previous Governments without Parliamentary authorisation. He gives it now as his legal opinion that what has been done is contrary to law. It seems to me that what was a virtue in the previous Government is a crime in the

estimation of the non-party leader of the non-party party of this House. I agreed with Mr. Sanderson when he said he would be prepared to take the opinion of Mr. Moss rather than the opinion of Mr. Drew on a constitutional question. I have the greatest respect for the opinion of Mr. Moss on matters of the kind, but I take it that Mr. Drew was not speaking for himself, was not giving his own private opinion. I take it that he was speaking here as a representative of the Government, and that whatever course of action the Government have taken in the matter they were careful to get legal opinion upon the point. I do not know whether I am right in saying that, but I think we may safely assume that the Government acted on legal advice.

The Colonial Secretary: Yes, the Crown Law authorities advised that we were acting perfectly legally and constitutionally, and with Parliamentary authority.

Hon. J. W. KIRWAN: That makes the point so much stronger, because we have on the one hand the opinion of an eminent lawyer, and against that the opinion of the Crown Law officers. Now whose opinion are we to accept? Is the House in a position to go into all the niceties in all the points involved in connection with this matter?

Hon. F. Connor: Why not?

Hon. J. W. KIRWAN: Is it a fair or proper thing to ask the lay members of the Chamber to go into every detail and say which of the two lawyers is correct? This is not a question of fact, but of law. Mr. Kingsmill indulged in a great amount of eloquence, and told us of the wrongs of the Government and the constitutional difficulties. His non-party professions have just the same genuine ring about them as was to be detected in that letter which appeared a little while ago in the *West Australian*, the writer of which, after going into all the constitutional niceties, signed himself, or herself, "Mother of Ten." Then Mr. Moss talks about non-party ideas, but when he howls with rage because of a certain action which was regarded as a virtue in previous Governments, such as expenditure without Parliamentary authorisation, I am afraid we

must somewhat doubt his sincerity. I venture to say that the speeches which have been delivered during this debate have served to prove that it is no longer a non-party House. I have heard debates in several Houses of Parliament, and have ever been interested in Parliaments, but there is one characteristic this Chamber possesses above all others—and I think it as well to tell members how one of their fellow members regards it—I consider it is one of the most extreme party Houses I know of. There was a time when there were practically no parties in the House, and perhaps even now if we had two Liberals contending for the Premiership there might not be any parties in this Chamber; as it is there is one thing the majority of the House are united in, and that is their intense opposition to the Labour party. The supposed non-party members of this House are suffering from unconscious bias. I think it is one of the most farcical and ridiculous things to hear men who have been nominated as Liberal candidates, as soon as they get in, saying they are non-party men. It is utterly absurd from my point of view.

Hon. M. L. Moss: You know very well how we dealt with the legislation of the Moore and Wilson Governments.

Hon. J. W. KIRWAN: I sat here year after year while legislation from the Wilson and Moore Governments went through and I know what amount of criticism it was subjected to; very little indeed compared with the storm of criticism with which the proposals of this Government have been received. I sat here when the Redistribution scheme came forward and what criticism did that get except from two or three men who did not deny that they were party men? It did not get any adverse criticism from the alleged non-party men. There was one thing which was referred to by Mr. Moss in his speech which I think is worth dealing with, and that is his attitude concerning the Fremantle Dock. It has an important bearing in view of present and future contingencies and what Mr. Moss evidently thought then should be the relationship between the two Houses. It will be interesting for

the members of the Government to look up Mr. Moss's speeches on that occasion. Some of them I will quote now. In December, 1908, I proposed in this House a motion that the work of construction of the Fremantle Dock be postponed as it is not a matter of urgency, and that further inquiries be made regarding it. No man fought harder against that resolution or stronger for the dock than Mr. Moss. He was no doubt responsible to a very large extent for that dock having been proceeded with.

Hon. M. L. Moss: How can you say that?

Hon. J. W. KIRWAN: I know that Mr. Moss was a very ardent champion of this dock, and before I have finished I think I will have satisfied the House that he was largely responsible because it was chiefly due to him that my motion was not acted on. When the motion was submitted, Mr. Moss said—

I do not think the Government would listen to dictation from this Chamber. I have been as strong a supporter of this Chamber and the necessity for its existence as any member who has represented the people here, and I am still a strong believer in the Chamber, but I do not want to see the Legislative Council so imperil their position as to dictate to the Government concerning the carrying out by them of a policy put before the people, endorsed by the people, and which the Government say they intend to pursue.

I ask members what Mr. Moss is doing to-day. Was not his speech a dictation to the other Chamber? Is not his amendment intended as such? He spoke to my motion in 1908 thus:

It is a direct want of confidence in the Government who have made this a part of their policy, and, as I said before, I doubt whether—

Hon. M. L. Moss: I want to rise at once to a point of personal explanation, because Mr. Kirwan was not in the House when I made my speech on this amendment to the Address-in-reply. The personal explanation is this: Mr. Kirwan, if he chooses to turn up *Hansard*, will find that I distinctly dealt with the con-

stitutional aspect of this question regarding the granting of the money. When the appropriations are sought in a constitutional manner, I, and I believe my friends, will vote to give the Government these moneys.

Hon. J. W. KIRWAN: I am quoting Mr. Moss as to his opinion regarding the attitude the Government should adopt with reference to the opinion of this House as expressed by resolution concerning "the carrying out of a policy put before the people, endorsed by the people, and which the Government say they intend to pursue."

Hon. M. L. Moss: I adhere to every word of that.

Hon. J. W. KIRWAN: Mr. Moss also stated that the proposal for the postponement of the construction of the dock "is a direct want of confidence in the Government who have made this part of their policy, and, as I said before, I doubt if any self-respecting Government will pay any attention to it." These words come back to Mr. Moss very much like a boomerang, and I trust they will be remembered by the Government in connection with the proposals now before this Chamber. Furthermore, Mr. Moss stated, "the Government will be thoroughly justified in treating the motion with contempt." That is how he advocated the Government should act towards this Chamber when we carried a motion asking for a postponement of the work at the Fremantle dock. My motion was carried by a majority of seven, and it was sent to the Legislative Assembly with a request for their concurrence. The Moore Government was then in power. But how did the Moore Government treat the Legislative Council? They did not pay the Legislative Council the courtesy of even sending a reply to the message, and when I raised my voice against it in this House, who was the man who said the Government and the other Chamber were right in treating this House with contempt by refusing to reply? It was Mr. Moss who now stands up and cries out so loudly in favour of the privileges of this Chamber. He has given a lead by his statements to the Government of the day as to how

they should act towards these so-called non-party members in connection with their amendments and possibly other matters which may come forward. It seems to me that the Government's offence is that they have made an honest attempt to try to cheapen the cost of food. I hope they will be successful, though whether they will be successful or not is simply a matter of surmise with any of us, but it is a proposal that ought, at any rate to have the sympathy of everyone, and I shall always give the Government credit. They deserve it for such a laudable object as endeavouring to cheapen the price of food. That was one of the main planks of their platform and they have done their utmost to keep faith with the people. There is a great cry against their purchase of steamers. I am strongly in favour of the purchase by the Government of the steamers. If the railways of Western Australia were owned by a private company, there is not the slightest doubt that that private company would own and run steamers in connection with the railways. Take the big railway companies of the world, nearly all of them have their fleets of steamers running in conjunction with their railways. Take the Canadian-Pacific railway—they have a fast fleet of steamers on the Atlantic and another fast fleet on the Pacific. Take the railway companies in Ireland and in England, they have their steamers running. These railway companies consider it a good business proposition to run steamers in conjunction with their railway systems. What is a good business proposition for a private company must assuredly be a good business proposition for the State. Supposing for the sake of argument that I was opposed to the State ownership of railways. Still, as a sound business proposition I would say that so long as railways are owned by the State it is wise for the State to run steamers in conjunction with them. We have had an example by previous Governments, many examples, about which there were bitter complaints, of invidious distinctions made between the railway rates in operation in different parts of the State. It was argued that it

was necessary to reduce the railway rates between Albany and Fremantle and other parts because of the competition of steamers. If we purchase the Midland Railway line—and sooner or later it must be purchased—there would have to be the same arrangement made because of the competition by steamers. But there is a far more important aspect of the whole question and one which more than anything else commends itself to me in connection with the purchase of these steamers. It is this: in times of war every country has had considerable difficulty in the direction of promptly securing transports. We know that during the Boer war England suffered a great deal of delay and tremendous expense in connection with the transports to South Africa. Japan and Russia also experienced the same difficulties. The war rates which are charged for vessels are tremendously high and they add considerably to the cost of war. If the State Government and Commonwealth Government—and I should like to see both owning steamers—had their fleets of steamers, then time of war they would be available for transport service. That is a very important feature of the whole proposal, and these steamers used in transport during time of war would be a very valuable adjunct to the defences of the Commonwealth and Empire. There are details in connection with these proposals that are open to criticism. It has been said that the salary of the man who is to manage these steamers seems small, and it does seem small to me. It is also said, and I think there is a good deal in the point, that it is nowadays an economic waste to carry live stock; the losses through deaths and the loss through wastage and deterioration in transit ought to be taken into account, but these are details in a great scheme that the Government have undertaken and I have the utmost confidence in the administrative ability of this Government, to feel certain that they will see their way out of these minor objections and that ultimately we will have steamers running and that they will prove successful.

Hon. F. Connor: There is only one way to prove successful and there is one way.

Hon. J. W. KIRWAN: Mr. Cullen, who I regret is not present to hear what I have to say, in the course of his speech uttered what certainly looked like a threat to the Government when he said it would greatly depend on the behaviour of the Government as to what action would be taken by this Chamber in connection with the passage of money votes. I would like to say in reply to that, that this Chamber should take fully into account its position in the scheme of affairs in a democratic community like this. There was a time when the masses knew so little about legislation and they were so uneducated that they were not fitted to exercise the franchise, but as education is advancing so the people are becoming more and more determined that there shall be no discrimination as to the value of electoral rights. The people are looking forward to the time when there will be no restriction to the carrying out of the clearly expressed wishes of the people. Some people here seem to view with a great amount of dread the possibility of unification. It has been said by many, and I do not mind repeating it here, that the best friends of unification in Australia to-day are those members of the restrictive Chambers who are threatening the people's will. A contrast is constantly being made between the power of the people in the State Parliaments and in the highest legislative body in Australia, a body that deals with the questions affecting defence and other matters of paramount importance. The people's power in the Commonwealth affairs is in no way restricted, and that fact points constantly to the necessity for reform in the State Constitutions. I do not know the real meaning of the speeches that have been delivered during this debate. There may be behind them all some intention to block the clearly expressed will of the people, and if it comes to be a battle between the people on the one side and those who represent a limited section of the people on the other, there has never been a similar contest before in which the

people did not win, sooner or later. The representatives of privilege may win one general election, perhaps two, but there is no doubt as to what the ultimate result of such a contest would be. The people have always won in the past and will always win in the future, and those in this House who want perhaps to force it to take up a hostile position to the people's wishes are not the best friends of the Chamber.

[*The President resumed the Chair.*]

Hon. E. M. CLARKE (South-West): I shall do my best to be as brief as possible and I shall also do my utmost to confine myself to the questions laid down in this amendment to the Address-in-Reply. There is no need for me to go into these questions at any great length, but if any gentleman chooses to take up the volumes of *Hansard* he will find that this House has sat down pretty tightly upon various projects from all Governments that have been in power similar to those which we are discussing. At the same time I shall reserve to myself the right to criticise these projects and every member in this House has a perfect right to do so, and he is a nonentity if he does not. The question in regard to the purchase of these steamers is whether the Government are acting constitutionally. It was one of the cries of the gentlemen who now constitute the other branch of the Legislature when they were seeking election, that the people should vote for Labour and clean government. I give them credit for a desire to do the best they can in the interests of the country, but I think they should have added to that plank of their platform that they would have clean, honest, and wise government. I reserve to myself the right to say that some of their proposals, notably that of carrying out the steamship venture, are to say the least of it questionable. I am absolutely certain that this venture is going to be a huge failure, and my reason for saying so is that the Government have not gone into the question fully. There has been a cry that they would cheapen the cost of living, and if they can offer a reasonable and practical suggestion in that direction I will be with them. Whether the cost of living is to be reduced

by such a scheme as they are launching upon now I very much doubt. My opinion is that they are courting disaster. One of the main things to do is to find out what is the cause of the high cost of meat, and in this way we will not be tilting at something which is not the case. I will illustrate the point by saying that some time ago I discovered a number of lady-birds on my fruit trees, and I considered at first blush that these lady-birds were my enemies, but I discovered that they were my best friends. I want to ask whether the Government have taken proper precautions in dealing with this question? What did they do? They said that steak was being sold here at 1s. 2d. a pound and that these meat buccaneers were getting the whole lot. I would like to inform the House what I should have done if I had been in power, and I know something about the subject. If I had been going into such a business as this, a business which I knew would be criticised by not only the whole of the Legislature but by the public, I should have taken at least the Legislature into my confidence, and I would never have thought of spending any money without the sanction of Parliament for fear that that expenditure would have been challenged. When Mr. Connor spoke the other evening I was half inclined to believe that he was bluffing, but he said a number of things about which there was a certain ring of truth. What did I do next morning? I did what the leader of the Government should have done. I went round to the various retail places in this town and what did I find? I was told beforehand that I would have to be very careful because directly I opened my mouth to find out what the butchers were paying for their meat and the conditions under which they were selling it, they would close up like an oyster. After I had gained their confidence one man handed to me straightaway a sheet showing where he had bought various quarters of beef for 2½d. per pound. He paid cash for it and he seemed to be doing fair business. I went to four or five others and one mentioned that he had paid 4d. once, but he amended that directly after and he said "I buy my

meat without fear of anyone in the open market, and the price I pay is 3¾d. per pound." I said "You must surely mean a fore-quarter" and he replied "Oh no, the whole lot." I again asked him what he paid for this meat, and he assured me that he paid 3¾d. and that he got it in the open market, and that he saw there as fine stock as anyone would wish to see anywhere. This man had ticketed up in his shop beef at 7d. a pound, which was as good as anyone would wish to see. We have heard a lot about the meat ring, and one of the butchers whom I interviewed was a man who fought the ring some years ago, and he told me that nothing of the kind existed now. I saw on the counter of this man's shop a fine joint of meat marked at 2s. What I would like to know now is whether the Government think that they are going to cheapen the price of meat by bringing it down in the way they propose to do, when we know it is sold at auction in the open market at from 2½d. to 3¾d. a pound. Before they fathered that cry about the meat ring they should have gone around themselves to the markets or they should have deputed someone to go round for them and get the information, just as I have done. The Government have undertaken this fad—and I can call it nothing else—leaving undone many more important things. With regard to the other enterprises such as the timber industry, those who have been engaged in it have been called timber buccaneers just as those engaged in the meat industry have been called beef buccaneers, and it has been said that they have been taking everything out of the State and giving nothing in return. I hold no brief for either the beef or the timber buccaneers, but I do want to assist the Government, and I think that before they attempt to rectify a wrong they must be sure that a wrong exists. Some few days ago I saw an advertisement in the paper offering for sale nothing more nor less than the Co-operative Union's mills, and the whole concern at Holyoake. Some months ago I was talking to the manager of that firm and he and all the others seemed very jubilant. There was one gentleman I had known from child-

hood who had gone there blacksmithing, and he reckoned that the concern was a splendid thing. So did I, but what do we find now? That notwithstanding a staff of directors comprising men who have been working hard with axe or saw, and who understand the whole of the practical side of the game, notwithstanding that they pay nobody but their secretary, I believe, they have not succeeded in making a success of that business, even though their expenses are so small. Now I want to say something about what those men are. I cannot say from my own knowledge that these men do it, but I can say that I have seen that class of men, when hewing sleepers at so much per day, working from early morning till late at night, and I venture to say that many of the men in that co-operative society were working 12 hours a day. Now, if men who understand the business and work as strenuously as that cannot make a success of the thing, where are we going to be placed if there are a lot of men entering into it who know no more about it than they know about Adam, except what they have been told? I say advisedly that all these concerns, not only in connection with the beef buccaneers, the shipping companies and the timber mills, are run by men who know the business from A to Z, and who have got them down to such a fine point that it is always just a question of whether they are going to make a big loss or a slight profit.

Hon. R. D. McKenzie: I understand that the secretary of the co-operative society has been making between £3,000 and £4,000 a year.

Hon. E. M. CLARKE: By the way the manager talked to me those men would in a few years be independent, but what has happened? They are men who at least knew what timber was and how to cut it, but not so the men who are going to run these concerns for the Government.

Hon. R. D. McKenzie: The secretary was not one of the workers.

Hon. R. G. Ardagh: Not if he was earning £4,000 a year.

Hon. E. M. CLARKE: That just helps my argument. I suppose the hon.

member will say that the men were not getting a fair deal from their secretary. It is the same with the Government. The late Mr. O'Connor had the same experience of being worried because his servants were not faithful to him. Do not let hon. members make any mistake in thinking that Government servants are better than any other section of the community. Now, Mr. Connor said most emphatically that there is no meat ring. I resolved that I would investigate this statement as much as I could, with the result that I have given to hon. members. I come now to the statement he made, which seemed more like bluff than anything else, and that is that he made a straight-out offer of the whole of his herds in the Kimberleys for 50s. per head—

Hon. F. Connor: It is open now.

Hon. E. M. CLARKE: That was 50s. per head for a bang-tail muster, which would take in all the cattle that could be found.

Hon. R. G. Ardagh: Probably he bought them on a bang-tail muster for 2s. a head.

Hon. F. Connor: Do you know what a bang-tail muster is?

Hon. R. G. Ardagh: No.

Hon. F. Connor: I thought not; where ignorance is bliss, 'tis folly to be wise.

Hon. E. M. CLARKE: In view of this statement how can the Government allow this—I will not say deception, but it is very frequently the case that half the truth is, to state it in the mildest form, most deceptive. When a witness is before a court of law he is called upon to speak the truth, the whole truth, and nothing but the truth; now I fully believe the Colonial Secretary bought steak at 1s. 2d. per lb. I believe that what he said was absolutely true, but I ask, is not that misleading to the greatest extent, when, as I told him, I went to a man hostile to the meat ring and he showed me a long list which proved that he had bought £15 worth of meat at 2½d. per lb. He had not that statement readied up and yet he said he would show me as much meat as I liked at the same price. Now, why do not the Government treat the thing simply as a doctor does a patient?

He tries him in every respect to find out what the trouble is; he does not rush away and say a man has cancer because he is sneezing, but he finds out what is the matter and applies the remedy in the proper place. I hope the Colonial Secretary will not regard anything I am saying as being at all personally directed against him, because he and I are old pals, as it were, but I feel that I must make these remarks. In a case like this one must find out what is wrong and where the shoe pinches. I can tell hon. members a good deal about where the shoe pinches. I will take up the case where Mr. McLarty and Mr. Connor left it and tell hon. members where a lot of the loss goes. When I saw meat in the shop at 7d. per lb. I could have obtained the whole of the joint by placing the money down, but the difference is that one man buys by cash for 2½d. and others buy on bills for 2¾d. Everybody who understands the butchering trade knows perfectly well that as soon as meat is cut there is a certain amount of evaporation. The greater proportion of a bullock consists of inferior joints which fetch less price, a certain quantity consists of bones which are useless, and it is only the lesser portion that is sold at the highest prices.

Hon. E. McLarty: Thirty pounds out of 600 pounds in a good bullock.

Hon. E. M. CLARKE: The bullock is railed from Fremantle to the shops wherever they are, and it is cut up into small pieces. A shilling's worth of meat is wrapped up, there is the turn of the scales, and there is the evaporation; then there is this fact to be remembered: A man, if he buys meat in the bulk at 3d. per lb. and sells it at 5d., may be doing very well; but if he buys that meat at 6d. per lb. and sells it at an advance of 2d., he will lose on it, because one must sell an article not on a 2d. advance but on a percentage. If hon. members choose, they can work it out very simply; they can buy 100 lbs. of meat, say at 3d., and sell it at 5d., and they will find that they gain something, but if they buy 100 lbs. at 8d. and sell it at 10d. they will find that they lose on the deal. I want to repeat that there are the evaporation, the bones thrown away, and the inferior

joints, and I saw a great joint pan out at 2d. per lb. Then we must remember that the consumer nowadays must have the fine joints, which are cut first. The butcher must have a man to go his rounds and ascertain what the customer wants, and another cart to deliver the orders, and if it is delivered in little quantities, such as I saw being cut up, I am certain the butcher would not deliver more than 100 lbs. of beef in a day. Then we come to that most important of all questions: what is the amount of bad debts? Speaking as a man who has been in business since 1874, and made it a study all my time, I can say, if one gives credit, be he as careful as he may, he is bound to lose. That is where the trouble comes in. Mr. Connor and Mr. McLarty showed what the meat was until it reached the wholesale market, and I think I have proved to hon. members that they can buy the meat in open market in just as great quantities as they want. I asked one gentleman in the trade, "How do you buy the meat, on the hoof"? he said, "Yes, I bought a pen of them alive; I could buy as many as I like but I cannot always find the money for them." At any rate, the meat is there for any man who chooses to go there and buy it. I asked this gentleman, "Do not these fellows rig or control the market in some way"? he answered, "Yes, they control it in this way: the other day there were 600 head of cattle, they split them up into two lots and sold half one day and held the other half for three days." I said, "That is a very wrong thing to do," and he replied, "I do not blame them, I would do the same myself." I say that the Government should have ascertained this and not been led away by the cry of "cheap meat" into invading an industry such as this. I feel certain that there are other things which the Government can go into; irrigation, for instance.

Hon. F. Connor: And reafforestation.

Hon. E. M. CLARKE: I am going to speak on that subject later on. The Government have done that which they should not have done and left undone those things which they ought to have done. We can still go on with the meat ring, because I can touch on one or two matters which Mr. Connor and Mr. McLarty

did not touch on, that is, in regard to the source of our supply. Frequently, in order to illustrate a point, to show that I know what I am talking about, I have to refer to myself, and I hope I may be pardoned for doing so, but sometimes I send up a truckload of fat pigs and they fetch a nice price; at other times when I send them up they fetch rather low prices. I do not know whether I may be described as a "pig buccaneer," but any man who goes into this with any common sense at all will know perfectly well that the prices are simply a question of supply and demand. What has happened this year? I think I am right in saying that a great quantity of the stock grown on the Murchison is travelled across country to the goldfields and slaughtered there; it is not brought down here. True, some of the meat for the goldfields comes here by water and goes up by rail, but a great deal of it travels, as I have said, across from the Murchison. But what has happened this year? From what I can hear, there has been a drought on the Murchison. I have heard of a Murchison "buccaneer" named Charlie Smith, who is one of the biggest cattle owners up in that place. They say he has a big lot of cattle there but that there is a belt of 200 miles of dry country over which he cannot drive them. There seems to be another conflicting statement to the effect that his cattle are all too poor. I do not think the two statements are inconsistent, when we bear in mind that this man has tens of thousands of acres of land, and while he loses at one locality he has other places where the stock are in good condition. I know a little about the Murchison, and I believe that the time is not far distant when the whole meat of the supplies for the goldfields and Perth and Fremantle, and the places round about here will be drawn from the Murchison district, and that we will only draw supplies from Kimberley when the Murchison district is suffering from a drought. Mr. Connor tells us that he has tried to open up a market at Manilla for our cattle. I hold no brief for anyone, but I do say that we have not only to look upon the men in the Kimberley district as enemies,

we have to look upon them as part and parcel of the State, and as men who are doing with those vast areas of land that which can be done with them and nothing else, that is, grazing cattle on them. I hate this setting of one section of the community against another. The interest of the capitalist is the interest of all of us. Any man, I care not who he is, who makes money honestly by his enterprise and brains is nothing but a big asset to the State; we might almost say philanthropist. I do not altogether say a man has to go out to that district to be a philanthropist; men do not do it; they go there for their own benefit, but they deserve all the money they can earn there. Here is another point on which I wish to criticise the Government, and I refer to myself again. For 27 years I was in the municipality of Bunbury, and anyone who has been a mayor of a small town knows a point or two. I think I was for seven years the mayor of Bunbury, and my experience was that, while I would not tell the man in the street what my programme was, or what the council were doing, on any occasion when there was a ratepayers' meeting I courted investigation. I got all my answers readied up, not concocted, but simply giving absolute facts. I have known of instances where I was nearly going to be hanged and quartered and cleaned out, but I had nothing whatever to do except to call on my town clerk to read the correspondence bearing on the case, and there was absolute silence. Where there was anything said against me or the council I courted investigation and gave information most fully. Now, I hold that, to a large extent the Ministry take the place of the mayor of a municipality, and as the ratepayers look to the mayor, so by the same rule members of Parliament look to the Ministry for all information, and they expect that information. The people, through their representatives, can almost demand that they should have the fullest information on everything. Is it not a fact that questions have been asked in this House and we have got no information? "Mum's the word." In some instances we have got it most fully, but,

I say advisedly we have not got the full information we were entitled to get; it has not been explained to us in every little detail as I would have liked. I am sorry to have delayed the House, but I feel strongly on these questions. My aim in this life is to see that this State, of which I am a native, is flourishing; and I cannot help thinking that the Government, if they proceed on their present lines of barring private enterprise and trying to run the State themselves, are not putting Western Australia on the path I would like to see it on.

On motion by Hon. R. D. McKenzie debate adjourned.

House adjourned at 9.53 p.m.

Legislative Assembly,

Thursday, 11th July, 1912.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

PAPER PRESENTED.

By the Attorney General: Report of the Education Department for year ended 30th June, 1911.

QUESTION—EDUCATION, TEACHERS' SALARIES.

Mr. TURVEY asked the Minister for Education: 1, What amount of money, exclusive of annual increments, was devoted during the current year to increasing teachers' salaries? 2, How many tea-

chers participated in this increase? 3, On what basis were these increases granted?

The MINISTER FOR EDUCATION replied: 1, £5,166 during the last financial year; £2,280 in increments from July 1st, and £2,886 in increments from January 1st. The expenditure on the latter is for half the year only, the annual value of these increments being £5,772. The total annual value of all the increments is, therefore, £8,052. These figures are for teachers only, and do not include monitors. 2, 227 received increases from July 1st, and 348 increases from January 1st, exclusive of annual increments. 3, The salaries of the lower grades of teachers were dealt with this year, the alteration of the general scale being left for the coming Estimates. The alterations made were as follows:—(a.) The minimum salary for unclassified teachers was raised to £110 for both sexes. The minimum previously had been £80 for women, £90 for men. (b.) The maximum salary for unclassified teachers in charge of schools was raised to £140 for men and £130 for women. The previous figures were £120 and £110 respectively. (c.) The salaries of assistants in grade C2 were raised to £120-£130 for men, and £120 for women. The previous figures were £110 to £130 for men, and £100 to £110 for women. (d.) The minimum for women in charge of schools of Class VI. was raised from £120 to £130. (e.) Corresponding increases to those mentioned above were given to supply teachers in similar positions. (f.) Provision was made for first female assistants as well as first male assistants in mixed schools of Class II., and for first assistants in schools of Class III. The following scale of additions to the salary of first assistants was introduced:—A3 teacher: £30 first class school; £25 second class school; £20 third class school. B1 teacher: £25 first class school; £20 second class school; £15 third class school. B2 teacher: £15 third class school. (Previously first assistants with the A3 classification in 1st class schools received £30, and all others £15.) (g.) The salaries of female monitors were raised to £40 and £50. The previous