

industry and to the State, and fair also to the employer and employee. Generally speaking, I think that when the Bill is passed, it will be better for the industry as a whole and certainly better for the State. I beg to move—

That the Bill be now read a second time.

On motion by Hon. Frank Wilson debate adjourned.

PERSONAL EXPLANATION—TRAMWAYS PURCHASE AND "STANDARD OF EMPIRE."

The PREMIER (Hon. J. Scaddan): Before moving the adjournment of the House, may I be permitted to make a statement, or really an explanation. During the second reading debate on the Tramways Purchase Bill, I spoke of the action of the Perth correspondent of the *Standard of Empire* in cabling to London that the Government proposed to purchase the Perth tramways for £500,000, and that was referred to as having interfered with the negotiations that followed. The leader of the Opposition declared that this was a most reprehensible act with which the House concurred, and I stated then that so far as I knew, the correspondent of that newspaper was attached to the staff of the *West Australian*. The proprietor of that newspaper, Sir Winthrop Hackett, has written to me pointing out that probably I was led to the belief that the correspondent was in that office because Mr. Adey, who was at one time attached to the *West Australian*, was also correspondent of the *Standard of Empire*. Mr. Adey left the *West Australian* some two years ago, and had since been residing in London, and no one attached to the *West Australian* was now acting as correspondent for the *Standard of Empire*, and that, so far as he was aware, that journal had no correspondent in Perth at the present time. I am of the opinion also that the correspondent was not in Western Australia, and although the telegram was published in the *Standard of Empire* as having come from Perth, the item must have been cabled from Melbourne, to which city the matter must have found

its way. In fairness to the *West Australian*, therefore, I desire to make this explanation.

House adjourned at 9.55 p.m.

Legislative Council,

Tuesday, 6th August, 1912.

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

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Annual Report on Medical, Health, Factories and Early Closing for 1911. 2, By-law and returns under Government Railways Act. 3, By-law by the Claremont Road District Health Board. 4, Preliminary Report of the Inter-State Conference on Artesian Water held in May, 1912. 5, Annual Report on Prisons for 1911 and Supplementary Report to 30th June, 1912.

WICKEPIN-MERREDIN RAILWAY, SELECT COMMITTEE.

Leave to confer.

On motion by Hon. H. P. COLEBATCH resolved: That the Committee appointed to inquire into the deviation of the Wickepin-Merredin railway be

granted leave to confer with the Select Committee of the Legislative Assembly appointed for a like purpose.

WONGAN HILLS-MULLEWA RAILWAY, SELECT COMMITTEE.

Extension of Time.

Hon. R. J. LYNN (West) moved—

That the time for bringing up the report of the Select Committee appointed to inquire into the Wongan Hills-Mullewa Railway be extended until Tuesday, 20th August.

A considerable amount of evidence had been taken and the extension moved for would be sufficient to enable the committee to bring forward their report.

Hon. E. M. CLARKE (South-West) seconded the motion.

Question put and passed.

QUESTION—TREASURER'S ADVANCE.

Hon. M. L. MOSS asked the Colonial Secretary: 1, What amount of the £250,000 advance to Treasurer, in Schedule "B" to the Appropriation Act, No. 17, of 1912, was expended up to and inclusive of 30th June, 1912. 2, Is any of such expenditure excluded from the deficit in the Revenue Account up to 30th June, 1912.

The COLONIAL SECRETARY: With the consent of Mr. Moss I must ask that this question be postponed. The accounts of the Treasury have not been finally closed in connection with this particular transaction. In fact the Colonial Treasurer is given until 30th June, 1913, to adjust the accounts, so that it is not unreasonable to ask for an extension of, say, a week. I may not, even then, be in a position to supply the information, but may require three or four days longer. I am given to understand, however, that the information will be forthcoming in a week's time, and I will do all I can to hasten its advent.

RETURN—GOLDFIELDS WATER SCHEME CATCHMENT.

Hon. A. SANDERSON (Metropolitan-Suburban) moved—

That a return be prepared showing:
 1, *The amount of land privately owned on the catchment area of the Coolgardie Water Scheme.* 2, *The names of the owners of this land.* 3, *The area held by each.* 4, *The area purchased or resumed since the inception of the scheme.* 5, *The amount paid by the Government for each resumption or purchase, and to whom the money has been paid.*

The COLONIAL SECRETARY (Hon. J. M. Drew): We are prepared to supply the whole of this information, but we consider that it is not advisable to make known information in connection with paragraph 5, that is to say, to state the amount paid by the Government for each resumption and the persons to whom the money has been paid. I am advised by the Minister for Works that if that information leaked out it would seriously interfere with his transactions in the future. He has been purchasing land privately and it is essential, at any rate for the time being, that no information in connection with the matter should be made public. It would interfere with further transactions that are contemplated. He has been approached by various persons asking him to supply this information, but it has not been obtainable by those who have solicited it, and he considers it would be very unwise at the present time to give this information.

Question put and passed.

MOTION—PROPORTIONAL REPRESENTATION.

Hare-Spence method.

Hon. D. G. GAWLER (Metropolitan-Suburban) moved—

That in the opinion of this House the proportional representation system on the Hare-Spence method should be adopted in the Parliamentary electoral system of this State.

He said : This matter is one of very considerable importance, in which hon. members, I am sure, will take a great deal of interest. At the outset I should like to say that I do not pretend to be able to do justice to the subject. It is one of very great detail, and I will ask hon. members therefore, to be good enough to pay less attention to the manner of my speech than to the matter. It is a subject that entails very exhaustive analysis, and I do not propose to lay before members this afternoon to a very great extent any ideas of my own. I have simply succeeded in gathering from the works of various authors on this subject what I consider to be the most important points in connection with it, and I hope to be able to lay them before members in as clear a manner as possible. I shall do so no more than in skeleton form, with a view to placing such points before members as they can fill in when they address themselves to the motion. The two works I have had the advantage of consulting are those of Mr. Humphreys on *Proportional Representation*, and a precise little handbook which has been compiled by our Chief Electoral Officer, Mr. Stenberg. Mr. Humphrey's work, while of very great importance in regard to England, cannot be quite so much to the point with regard to Australia, because possibly conditions are different in England from what they are here. I propose to divide my subject into three simple heads, the first, showing the absurdities and anomalies of the present positions; the second, the different systems in vogue; and the third, proportional representation itself. The present system which we work under here, I may explain before coming to the first of my headings, is the absolute majority system. It is worked on the preferential system, but it is a system whereby fortunately no member can be returned by a minority of the electors, which was, until lately the case. But with regard to this system, the same evils result as result under a relative majority system, because even with the absolute majority system, a large minority of the electors are left unrepresented, and in addition there is

what is known as a large wastage of votes; that is to say, votes over and above the necessary majority required by candidates to be returned, and therefore, wasted. Under the proportional representation system, as I shall endeavour to show, these votes are utilised. Now, as regards instances of anomalies existing under the present system, they chiefly exist under the relative majority system, but can occur under the absolute majority system, as they both retain the evil of unrepresentation to a large minority, and allow a wastage of votes which I shall refer to later in the debate. The relative system is still in force in Australia in the Commonwealth elections, unfortunately, because, as I shall show later on, it produces great absurdities. Majority rule, which we hear a great deal of, does not necessarily mean that the minority shall not be heard at all. This will commend itself to hon. members. It means that the minority must be there to criticise and to educate. The election of candidates, even by a majority however, may mean that a minority of the majority rules, and of course, that is an absolute absurdity. What I mean is that one party may be returned by a majority of three or four, and that majority of three or four may turn itself into a party which can influence either of the two parties in the House whichever way it pleases. Therefore it means that a minority of the majority practically rules the country. Now, as to examples of the anomalies and absurdities of the present system, we may take a supposititious case of 1,000 voters and 10 candidates. Under the relative majority system the successful candidate need obtain only 101 votes; because if eight of the remaining candidates obtain 100 votes each, and one obtains 99, it may mean that the person obtaining 101 votes is elected, and 899 electors are disfranchised. I will trouble hon. members with a few figures that I have—I think they will be interesting. In the Senate election for 1907 for this State the Labour party polled 82,060 or 55 per cent. of the votes and gained all the seats, while the Liberal party polled 65,426, or 45 per

cent., and gained none of the seats. In the State elections for the four Fremantle electorates in 1909 the total Labour party polled 3,445 and only gained one seat, while the Liberal party polled 3,416 votes and gained three seats. The following instances will show the absurd results to a party, and the difference in the value of votes. In the British election of 1895 the Liberals with 1,800,000 votes gained 202 seats, or 8,900 votes per seat, while the Conservatives, polling 1,775,000 votes, gained 279 seats, showing a result of 6,362 votes per seat. In this case the minority of votes gained 77 seats more than the majority. In 1900 the Unionists with 2,360,000 votes gained 230 seats, or 10,000 votes per seat, while the Liberals with 2,055,000 votes gained 165 seats, showing 12,450 votes per seat and 38 seats less than they were entitled to. In 1906, the Radicals with 3,044,000 votes gained 428 seats, being 7,112 per seat, and the Unionists with 2,400,000 votes gained 139 seats or 17,194 votes per seat, the Radicals gaining 109 seats more than they were entitled to. In the Victorian Senate elections for 1910, 648,889 votes elected three of the whole of the Senators required, while the remaining votes, numbering 692,474, did not gain a single seat. For the New South Wales Senate elections of the same year 735,566 votes elected the full number (three), while in that case 730,201 were wasted. Dividing these numbers by three we get in round figures 245,000 electors represented and 243,000 unrepresented. In the same election for South Australia 244,292 votes or 81,430 electors elected three Senators, while 241,048 votes or 80,345 electors were without a voice in the Senate. But to my mind, the crowning absurdity, or the crowning instance of preposterous anomaly of the relative majority system is shown in the Commonwealth election of 1910. The total Labour votes cast were 2,021,090 which elected the whole 18 members, while the voters for the Liberal candidates numbered 1,997,029 but did not succeed in electing a single member. The difference between these totals is only 24,061 votes; and, dividing that number by three, each elector having

three votes, it means that, roughly speaking, if 8,030 electors had transferred their votes to a different side the whole election would have been upset.

Hon. M. L. MOSS : Less than that ; if 4,100 voters had done so.

Hon. D. G. GAWLER : In other words, a slight change of opinion could completely annihilate the whole party. Mr. Pember Reeves I believe, has described that as a result which gives rise almost to revolution. It seems to me that there is a great deal in what he has said. Speaking of that, Mr. Balfour on page 244 of Mr. Humphreys' work says—

Everybody who has watched the actual course of a contested election in a constituency where parties were fairly evenly balanced, knows perfectly well the monstrous power which is given to a very small minority to exact a pledge from the candidate, not that he should support this or that policy, but that he should help their small and particular interest. I know nothing which is more corrupting, both to the electors or to the elected, than that process; and although I have fully seen the difficulties which attach to what is commonly known as minority representation, it surely is an extraordinary criticism upon our existing system that, while a small handful of interested people can turn an election one way or the other on their own personal issue, huge minorities, like the minority of the Unionists in Scotland, are utterly and grossly unrepresented.

Another instance Mr. Humphreys gives in his work is one in which he says that if 8,500 Liberals in one election had changed sides the Unionist majority of 124 could have been absolutely annihilated, and that if the same number of Unionists had changed sides the Liberal majority of 124 would have been 274. In the State elections held last year I have taken out the figures and find that they resulted in a minority of 44,071 being unrepresented. Going further than that, having analysed the figures, I find that at the last elections 62,714 Labour votes were polled and 46,741 Liberal votes.

17 hon. members will work them out they will see that on these figures under a proportional system of representation, the Labour party would be entitled to 28 seats and the Liberals to 22 seats, whereas at the present time I believe the figures are 34 and 16 respectively. Another point to be observed is the wastage of votes. That wastage, as I have said, is the result of a member being returned by more votes than required, that is, the votes over and above those required to return him are wasted. In addition to that, another drawback with the system is the difference in the value of votes. Take the Legislative Council election. I and my two colleagues in the Metropolitan-Suburban Province represent, at any rate on paper, 12,093 electors, and that would give us 4,023 votes to each seat. The North Province consists of 789 electors. Therefore the gentlemen representing the North Province represent only 263 votes. That is a drawback which I submit would be cured by a proportional system of representation. Hon. members will see that even if the electorates are equal, there is still the position that different members may be returned by different majorities and by unequal majorities. To give us a true system of representation, whereby the votes which every member represents should be equally effective, is the design of a proportional system of representation. That system is designed to allow representation of all shades of opinion, and by an ingenious method of making use of the votes over and above those required for a candidate, wastage of votes is prevented. Now, I come to the second heading of my speech, that is, the different systems of voting in force in different parts of the world. Mr. Stenberg, in his concise book, has divided these systems into two divisions, firstly the system designed to give effect to the will of the majority, and secondly, the system designed to give effect to the will of the minority, and the majority. The branches of the first division are three, the relative majority, the alternative vote and the second ballot. The branches of the second division are the limited vote, the cumulative vote, the

proportional system of voting and the list system. I shall give all these in their order. I do not intend to go exhaustively into them because if I did I think I should be here, and hon. members, if they stopped, would also be here, for some considerable time. The first branch of the first division is the relative majority system, which is simply one that allows of a man being returned by a majority relatively only to the majorities of the other candidates. The second branch, the alternative voting system, is that which we have in force here at the present time, whereby an elector has the privilege of expressing his preference in the order he pleases for the different candidates, and I am sure members will agree with me that we did well when we introduced that system of voting into the State. It ensures that no candidate shall be returned by a minority of votes. The other branch of the first division is the second ballot, and this is in force in Germany, New South Wales, Austria, France, Italy, Netherlands, Norway, Roumania, Russia, Serbia, Switzerland, and New Zealand. So hon. members will see that it is very largely made use of. It provides for a second and sometimes a third ballot. That system is adaptable to either a single-member constituency or to a multi-member constituency. In single-member constituencies, where the majority is not obtained in the first ballot generally the two highest candidates go to a second ballot held at the lapse of say a week after the first, while in multi-member constituencies generally twice as many as require to be elected are required to submit to the ballot. The disadvantages of this system appear obvious, and two of them serious. One is the difficulty of getting electors to vote a second, and a third time, which in view of the well known difficulties we have here in ensuring a good poll would appear to apply to us with double force. Further, to theoretically fulfil the requirements of the system practically the same electors who voted at the first ballot should be the ones to vote at the subsequent ones. The second serious objection has already been realised in other countries.

Hon. J. E. Dodd (Honorary Minister): That happened in Germany.

Hon. D. G. GAWLER: Yes, two parties combined after the first ballot. The difficulty consists in the tendency for parties whose candidates have been defeated at the first ballot to combine for political purposes to defeat an opposing section and possibly a numerically strong one, at the second ballot with the result that an influential section of the people are denied representation, and occasion is given for discreditable gambling and bargaining. Again, there is the great increase in the cost of elections under this system. These are a few of the many objections to this system. It will be seen that in this branch of the voting system each elector has only one vote, and that while the relative majority system and that of the alternative vote are only applicable to single-member constituencies the second ballot may be used in either single or multi-member constituencies. Dealing now with the system aiming at giving representation to both majority and minority: Our own present system may be said to do this to a limited extent, as every elector can hope that his second choice may, on a second count becoming necessary, become effective for his second choice of candidate, though this does not seem to have been so treated by a number of writers on the subject. The first division of the second branch of the system is the limited vote, which, as its name implies, restricts the number of candidates for whom an elector may vote. This system is in force in Italy, Spain, and Portugal. Its advantages are that it assists a minority to elect its candidate as it restricts the scope of the majority vote; but it necessitates thorough party organisation and the number of votes to which an elector is allowed must not be large, otherwise the minority may fail to elect a candidate. If the voting is not strictly on party lines it may happen that the majority, by not concentrating its votes on its candidates, will fail, and allow the minority, better organised, to gain an undue proportion of seats. It requires therefore strict subjection to party

leaders and so does not commend itself to those who wish to see freedom of choice. The second division is that of the cumulative vote. This assists minorities by allowing an elector, while giving him a vote for each candidate, to plump for anyone of them or to distribute the votes amongst whom he pleases. This enables a minority to concentrate all its votes, if it wishes, on one candidate, while possibly a majority which puts up more than one candidate is distributing its votes and weakening its effects. In this, as in the previous system, it will be seen that its success theoretically depends upon the perfectness of party organisation so that each party must know exactly what voting power it has behind it, how many candidates to put up, and be able to distribute its votes so as to prevent them being wasted. The last branch of the voting system is that of proportional representation whether by the single transferable vote or what is known as the list system. Before dealing with this I would like to remind hon. members of the main principles upon which true representation should be based, according to the opinions of eminent men, which should easily commend themselves to members of all shades of opinion. Quotations from various writers are given by Humphreys in his book. On page 62, Lord Acton says—

Self-government may be aptly described as a government in which every section of society has its voice and in which every want has its expression, in which all members of the community are practically participant with resultant action.

J. S. Mills says—

In a really equal democracy every or any section would be represented, not disproportionately but proportionately.

Burke has stated—

The virtue, the spirit, the essence of the House of Commons consists in its being the express image of the nation.

Mr. Asquith says—

It was infinitely to the advantage of the House of Commons, if it was to be a real reflection and mirror of the

national mind, that there should be no strain of opinion honestly entertained by any substantial body of the King's subjects which should not find there representation and speech. No student of political development could have supposed that we should always go along in the same old groove, one party on one side and another party on the other side, without the intermediate ground being occupied, as it was in every other civilized country, by groups and factions having special ideas and interests of their own. If real and genuine and intelligent opinion was more split up than it used to be, and if we could not now classify everybody by the same simple process, we must accept the new conditions and adapt our machinery to them, our party organization, our representative system, and the whole scheme and form of our government.

A fortnight later, Mr. Asquith said—

Let them have a House of Commons which fully reflected every strain of opinion; that was what made democratic government in the long run not only safer and more free, but more stable.

It is also suggested by Humphreys, in a phrase well put, that we should aim to get rid of the present system of political assassination whereby parties do not so much aim to get their candidates in but to keep the other fellow out. It will be seen that the proportional system is the only one which fulfils the rules laid down with above opinions. To be theoretically correct and as a matter of fact to be logical and fair every faddist, crank and wowser has a right to be represented.

Hon. F. Davis: What is a wowser?

Hon. D. G. GAWLER: I must refer my hon. friend to the Premier, who, I understand, has laid down a definition of that phenomenon. All those have a right to be represented, whilst it will be seen that under the proportional system all these cranks will find their proper level. If one is in a minority it will remain there and be proportionately harmless, whilst if it is one of the larger class it has a right to be heard and will be heard

as it deserves. The first of the two divisions of proportional representation is the list system. This is used where more than one member is to be elected, and is based upon what is known as the block vote and can be used, of course, apart from a proportional system. I understand we have the block vote in the Senate elections, but not, of course, on the proportional basis. If, however, it is not used on that basis it will be seen that minorities are crushed even more completely than under single-member constituencies, as for instance in the Senate election of 1910. The list systems are practised chiefly in France, Belgium, and Finland, and are systems under which the different parties frame lists of their candidates before election day, and an elector votes for his party list, and in some countries for his own candidates in the list as well. Sometimes, however, the party leaders themselves place the candidates, and the elector only votes for his party list. Each party therefore is allotted seats in proportion to the votes cast in its favour. In either case, however, it is obvious—and here is the great distinction between the list system and proportional representation with the single transferable vote—that party is the first consideration, and personal choice of candidate is suppressed. The list system has therefore been preferred by many upholders of party Government to the more independent action allowed to electors under the single transferable vote method. It is claimed, however, that the system which solves both problems, namely which gives to each party its due proportion of seats, and at the same time allows the elector freedom of choice is preferable. With the list system one objection is that owing to the possibility of two parties combining their lists an elector by casting his vote for a particular candidate may be giving a seat to a party to whom he is opposed. Further by voting for a list he may have to support some candidate of whom he disapproves, whilst in the single transferable system the vote never passes out of the elector's control but must be passed on by the returning officer to whomsoever the elector indi-

cates. The last subdivision of the second branch of the voting system, namely, the single transferable vote on a proportional representation basis was the one. The subject of the present motion, and as its name implies is intended to secure the representation of all parties in proportion to their strength and the vote of the elector is to be a single vote only and to be transferable by him as under the present system, that is in order of his preference for the various candidates. Under some systems it is not compulsory. Under our system it is. In some countries I believe it is only compulsory where there are a certain number of candidates. There are difficulties in that respect, and no doubt each has its advantages. The preference must be expressed in the State in respect of every candidate on the ballot paper. This system it will be at once seen only applies to multi-member constituencies, and it is obvious that the greater the number of members to be elected the more exact the chance of representation of minorities. In fact the ideal application of this system would be the whole State voting as one electorate when each interest would be represented in as nearly as possible exact proportion to its strength. The system of proportional representation of parties was first tried in Denmark when election to the Upper House took place through electoral colleges voting on a proportional system. It now obtains in Belgium, Finland, France, some of the German States, Sweden, and in municipal elections in South Africa. Last, but not least, it has been adopted and has worked with marked success in Tasmania. The Premier of that State has expressed his personal opinion in favour of it, while it is used in the selection of all candidates by the Labour party here and also in the election of committees by the Trade and Labour Councils in some of the Canadian Provinces. It is frequently contended that the method of counting the votes is so complicated that it will cause mistakes and confusion and will require skilled men to act as returning officers and will therefore prove almost incapable of adoption. It is unnecessary to point out

that this difficulty does not in the least affect the voter as his duties are precisely the same as under our present system, and that the returning officer's duties are hardly more complicated than at present and so far they have shown themselves quite competent to perform their duties. Again, Tasmanian experience has shown there is no difficulty whilst an instance is recorded by Earl Grey, then Mr. Grey, of the trial of the system in Canada which shows that the fears in that direction are groundless.

Mr. Grey was returning officer, and was assisted in the count by thirty miners—a body of utterly untrained men whose hands, accustomed by daily usage to the contact of pickaxe and shovel were new and strange to the somewhat delicate task of fingering and separating flimsy ballot papers. They had received no instructions before they were assembled in the room as to the duties they would be required to transact, and the expedition, good humour, and correctness with which they got through the several stages of the count justly earned for them the admiration of those who had come from a distance, as well as the compliment which Mr. Grey deservedly paid them at the conclusion of the day's proceedings. On this occasion some 6,645 papers were counted, the number of spoilt votes being 44, considerably less than 1 per cent. The election is of interest as the members of Northumberland Miners' Association have ever since that date used the transferable vote in the election of their agents.

It will be recollected that we at present work under the preferential system which constitutes the main difficulty with the votes. We will have nothing further to do under the proposed system—the rest lies with the electoral officers. Instead of finding an absolute majority of votes they will have to find a quotient by dividing the total numbers of first preference votes recorded by one more than the number of members to be elected, the result plus one being the quotient.

It is obvious that this number must be the divisor. For instance, in a single member constituency there is no need for the successful candidate to poll all the votes, as if he obtains one more than half no other candidate could get more. Similarly in a contest where two members are to be elected if each obtains one more than a third of the votes no other can equal them, and so on. Therefore it is obvious that it is necessary to divide the number of first preference votes by one more than the number of candidates to be elected. Having found the quotient the first preference votes on each ballot paper are counted to each candidate, and if any one or more has obtained the quotient or more he is elected. It is obvious that if he has received more than the quotient the surplus of his first preference votes would be wasted to the prejudice of the electors recording them unless they can be made use of in any way. The surplus, therefore, of a successful candidate's first preference votes are immediately distributed amongst the other candidates according to the electors' next expressed preference. The next step after the distribution of the surplus votes, and before all the candidates are elected is as at present to strike out the lowest candidate and to distribute his votes upwards among the others according to his supporters' second preference. This process is repeated until the required number of candidates have obtained the quota. It is of course compulsory with electors here under the present system to mark all the candidates, though in some of the other countries where the system is in force it is merely optional. Many objections are urged to the proportional representation system, but to my mind only one of them is worthy of serious consideration. I will refer to that presently. It is urged that it is difficult for electors to exercise the vote and understand it. This has been already dealt with. It is also claimed that the cost of elections are increased, but the answer is that already large sums are spent in single member constituencies which would go much further in working larger electo-

rates, by several candidates acting in concert. Further, it is said that by-elections would be unfair for small parties. This, however, could be remedied, if desired, by adopting the Belgium system of supplementary candidate, or by resorting to the original ballot papers at by-elections, though in both these cases it may be urged that public opinion may have changed meanwhile. If by-elections are valuable because of their indication of the trend of public opinion then the larger the electorate the more valuable the expression of opinion. The difficulty of dividing up the electorates should not prove insuperable, as it should not be difficult to divide up the State into electorates with an equal number of electors and provision could be made for an automatic adjustment periodically. I am not going to try to divide Western Australia into electorates for the purpose of this system. We have an able electoral officer and staff, and I do not think it is beyond their powers to divide Western Australia into electorates capable of being used on the proportional representation basis. It seems to me that if the true idea of proportional representation obtained over the State as a whole surely it would over whatever portion of the State formed an electorate. The element of proportion of the return on the proportional basis should exist just as if the State were taken as a whole. The last objection, and the one I personally consider the most worthy of serious consideration is that of its effect on party government. Would it mean the introduction of elective ministries? If so, I personally consider it would be a serious objection, because I do not think that this State or Australia as a whole is in a position to adopt elective ministries. It would, I think, mean coalition ministries, because elective ministries are elected on the proportional representation basis in the House, and therefore, it would mean certain parties from one side and certain from another having to coalesce, or they would be working on their own, and it would mean an entire absence of continuity of policy, and that would be disastrous for any State.

The Colonial Secretary: How does it work out in Switzerland?

Hon. D. G. GAWLER: I do not know whether we can compare the two constitutions. I understand Switzerland has a permanent committee appointed for so many years, and not dependable on the will of the House. The system there also includes that of the initiative, referendum and recall, and that has to be considered. The question I am dealing with is whether the introduction of proportional representation will necessarily affect party government. I for one have always held a doubt as to whether party government in its true sense exists in Australia. Bourke has defined party government as—

a body of men united for promoting by their joint endeavours the national interest upon some particular principle upon which they are all agreed.

He further says—

In order to throw an odium on political connection (party government) these politicians suppose it is a necessary incident to it that you are blindly to follow the opinion of your party when in direct opposition to your own clear ideas, a degree of servitude that no worthy man could bear the thought of submitting to and such as I believe no connections (except some court fractions) ever could be so senselessly tyrannical as to impose. Men thinking freely will on particular instances think differently. But still as the greater part of the measures, to arise in the course of public business are related to or depend upon some great leading general principles in government a man must be particularly unfortunate on the choice of his political company if he does not agree with them at least nine times out of ten. If he does not concur with these general principles upon which the party is founded and which necessarily draw on a concurrence in their application, he ought from the beginning to have chosen some other more conformable to his opinions.

Have we true party government in Australia is a question which often arises? In

England, the home of party government, for generations this form of government has developed along ancient broad lines, nearly every measure being founded on some broad principle upon which English parties have adopted settled views. There are no questions here like those of Disestablishment, Tariff Reform, Irish Home Rule, the Constitutional position of the House of Lords, and subjects of that kind. As a matter of fact Professor Nanson has stated that really the only broad general principles in Australia are founded on Free Trade and Protection and between Labour and anti-Labour.

The PRESIDENT: Under Standing Order 114, I must interrupt this interesting speech so that the Orders of the Day may be proceeded with, after which the honourable member will be able to resume. There is, however, an alternative; the Council may by motion give permission to the speaker to continue.

On motion by Hon. A. Sanderson resolved: That the discussion of the motion be proceeded with.

Hon. D. G. GAWLER: I must express my gratitude to you Mr. President and to honourable members for saving me from the guillotine which was unexpectedly hanging over my head. I had no idea of the position with regard to the Standing Orders. I was saying that apart from these questions, it seemed to me in Australia all people found themselves on common ground and the main idea of Australians was the development of Australia on the soundest business lines. Politics in Australia develop themselves more into the nature of the conduct of a good business than anything else, and rightly so in a young country like ours. Of course, we shall always have here as in every other country those who are pressing forward and those who are hanging back. The cleavage between capital and labour.

Hon. J. F. Cullen: The cleavage is not political.

Hon. D. G. GAWLER: The cleavage here is between capital and labour which have not yet learned to understand one another. I do not think you can dissociate the industrial and political move-

ments. The dividing lines between parties should be those of principle and thought and not of class feeling. Directly these are divided by lines of class feeling there then becomes what to my mind is class government. I am trying to show that party government in the true sense of the word does not exist in Australia. Assuming we have party Government here, would proportional representation destroy it by the introduction of the chosen representatives of different classes of thought? First of all it must be borne in mind that party organisation should not be too rigid. It does not mean blind following. It is accepted by all great political thinkers that Government can only be successfully carried out by two main political parties. But can these parties resist the modern tendency towards free thought and the carrying out of specific reforms? As Bourke says, however, "the greater part of the measures which arise in the course of political business relate to or depend upon some great leading general principle in Government." Again, is not the evil effect of small persistent minorities greater under the present system of voting? Do not we have now the spectacle of a minority turning an election, and perhaps an electorate being able by throwing its weight on one side or the other to carry the election of any candidate. Under the proportional system, however, those sections would be able to obtain representation and the candidates would be able to take a broader view of local affairs. I would refer honourable members to what Professor Nanson has said as to the effect of the introduction of the proportional representation system in Party Government in Australia. Professor Nanson thinks that the only existing political Australian parties can be divided into two—labour and anti-labour, and protection and free trade, and he gives it as his opinion that these may exist side by side and act and vote on their respective questions without mutual self-destruction, at the same time allowing of the existence of stable Government. I would ask honourable members to study that, because it seems to me to be a very valuable

opinion. Some explanation is due perhaps to honourable members as to the origin of the Hare-Spence system. The idea was first introduced by Mr. John Hare in 1857, and he advocated it in connection with the constitution of the whole United Kingdom as one electorate. This would at once appear almost impossible of adoption as assuming that 670 seats had to be filled and say there were three candidates for each seat, it would mean a ballot paper containing 2,010 names which at a modest calculation would be about 167 feet long. That idea was not adopted, but the matter was taken up later by John Stuart Mill, who advocated a system of proportional representation, and moved an amendment to the Electoral Reform Bill in the House of Commons providing for a quota to be obtained by dividing the total number of votes polled in the United Kingdom by the total number of seats in the United Kingdom, any constituency polling the quota to be entitled to a member, and such quota if necessary to be completed by any other votes given for the candidate in any other part of the United Kingdom. The amendment failed and since then the proportional idea has been worked upon by others, notably Miss Spence and Mr. Justice Clark of Tasmania (that is why it is sometimes called the Hare-Spence and sometimes the Hare-Clark system) till it has attained its present form. It now only remains to be said that a Royal Commission on the electoral system was appointed in England in 1908 and in 1910 reported that "reviewing the whole of the evidence and duly considering the gravity of the change involved they were unable to report that a case had been made before them for the adoption of the transferable vote here and now for the elections to the House of Commons." The Commission, however, thought that of the scheme for producing proportional representation, that of a transferable vote would have the best chance of ultimate acceptance. Lord Lochee in a minority report expressed the opinion that it was not beyond British statesmanship to cope with the change. Proportional representation has been

nibbled at on various occasions by the Federal Parliament and advocated by many public associations and intelligent men both here and in the other States. I have received from the Australian Natives' Association a letter congratulating me upon my intention to bring this matter forward and I value that letter all the more because it comes from a non-political and an essentially Australian body. The principle involved is one of undoubted purity and mathematical correctness, and I hope that Western Australia will be the second of the States to show that she desires Government on approved principles. With these remarks I beg to commend the motion to the attention of honourable members.

Hon. F. DAVIS (Metropolitan-Suburban): It gives me very much pleasure to second the motion moved by Mr. Gawler. I have listened as every member must have done with interest to the able manner in which he dealt with the subject of proportional representation, particularly as the subject is a very technical one, and one in regard to which there could be quoted many figures to demonstrate its correctness and practicability. It is some what singular so far as I am able to find out that there are only two books in the State to which reference can be made for information on this particular subject, and both of these works have been quoted by Mr. Gawler. I should like to have seen others if it had been possible to obtain them, consequently therefore, if some of the remarks I may make follow somewhat on the lines of the previous speaker I trust I may be pardoned. It seems to me that in all cases of reform there are generally three stages in their history. In the first place the principle is only partially known or understood and a proposal that is not understood is generally received with a certain amount of prejudice, and I find also some ridicule. Those who have studied the position will admit that in the second stage of the history of the reform it becomes more or less familiar to the community generally. I have heard the quotation often used that familiarity breeds contempt. I would rather paraphrase the quotation and make it run

"Familiarity removes prejudice." This applies more particularly to political than to other matters. In the second stage it is sometimes admitted by Press and politicians that the arguments are good, but they generally qualify the admission by saying that it is not yet within the realm of practical politics. My experience has been that the principles never are until the public forces them there. In the third stage of reform I think it will be admitted that the principle has become fairly well understood by politicians, the Press, and the people, and having become familiar with it the prejudice is removed, ridicule is out of the question, and it is then translated into law. I should say, in this State, proportional representation approximates somewhere the second stage of the history of the reform. Some admit that it is a good principle but hardly think it is applicable to the State or our political system in Western Australia. To my mind I think it is applicable to this State and for that reason I have pleasure in seconding the motion moved by the Hon. Mr. Gawler. It has been pointed out by him that there are several methods, several electoral systems in vogue throughout the world with which all are more or less familiar, and it may be advisable to perhaps briefly refer to these different systems and note how they work out in practice in order to ascertain how proportional representation seeks to remedy their defects. There is, as pointed out, the limited vote and that system involves the creation of constituencies returning several members but limits the elector in the number of his votes. The elector is only permitted to vote for a number of candidates which is less than the number of candidates to be elected, whilst he may not give more than one vote to any one candidate. The system was first given effect to in the House of Lords in 1867. When introducing the Bill Lord Cairns said—

There is nothing so irksome to those who form the minority of one of these large constituencies as to find from mere force of numbers they are virtually excluded from any exercise of political power.

The system has some advantages, but it has more defects. The chief defects appear to be that first of all a most thorough preliminary canvass is found to be necessary prior to an election to ascertain the strength of the party, and precise instructions have to be issued to the electors how to vote. A striking instance of this was the Birmingham election of 1880, when the motto of the campaign which was sent throughout the electorate to supporters of the Liberal party was, "Vote as you are told and we will carry you through." They did vote as they were told and the result was that the Liberal party won the seats. It is somewhat singular and interesting to note that had they not done so, the Liberal candidate who received the lowest number of votes possible would not have been elected, and that candidate was the Right Hon. Mr. Joseph Chamberlain, and it is possible that had he not been elected on that occasion, so far as Africa is concerned the whole course of history might have been changed. There is also the difficulty in that system that if a party try to obtain the whole representation in a particular electorate they may possibly overstep and suffer defeat. That occurred, I believe, in Leeds in 1874. The Liberal party on that occasion tried to win the five seats with the result that the minority, the Conservatives, won three out of the five, the various totals being, the Liberal party, three members, 33,185 votes. Conservatives, 28,056 votes. Yet, under the system, the Conservatives, by their thorough canvass and careful calculations and unswerving loyalty, were able to win three out of the five seats, although they actually were in a minority. Another system referred to is the cumulative vote, and I think the name itself explains the system. It is possible for an elector to either vote for one candidate or to cumulate or plump them on a particular candidate. This method of voting was first adopted in 1850 by Earl Grey in the draft constitution of the Cape of Good Hope and was in force until the federation of the South African States, but only so far as the Legislative Council was concerned. In

1906, Lord Milner, speaking in the House of Lords, said—

It is very remarkable how much more fairly this system works out in Cape Colony than the system of double member representation. . . . In the country there, you have, roughly speaking, about two Boers to every white man not a Boer. On the system which prevails in the Lower House the representation of these districts is exclusively Boer. Under the system which prevails in elections to the Upper House, as nearly as possible one-third of the representatives are British.

Showing the difference between the two system. On this occasion, as in the case of the British system, a most careful canvass was necessary. A case is recited in connection with the Glasgow school board election in 1909 in which one of the candidates had the pleasure, for him, of having the electors cumulate their votes for him and give him 81,000 votes, whereas 40,000 votes would have secured his election; all excess votes in that case were wasted and the party he represented did not get the representation to which they were actually entitled. The single vote system is a product of Japan; it provides that in a constituency returning one to twelve members, according to population of area, the voter has only one vote. He can vote for one candidate only. Minorities obtain some share of representation under this system when the constituency returns two or more members. Majorities also obtain members in approximate proportion to their electoral strength. The defects of this system are that it requires thorough party organisation together with unswerving loyalty of voters to the instructions issued. If not enough or too many candidates are nominated there is always a risk of failure, so much so is this the case that there has been an unwillingness to nominate any candidates but those who have been previously successful. The second ballot and the transferable vote in a single member constituency has some advantages. It secures the exclusive representation of the majority in each constituency. But we cannot ignore the fact that so long as we compel the electors

of any district, no matter what their divisions may be, to be all represented by one man, their real representation will be impossible. The fatal flaw in all forms of the second ballot and transferable vote is the fact that a party which is numerically strong in all electorates may not have sufficient votes to secure representation in any one electorate, owing to the fact that their votes are evenly distributed throughout the electorates, and not concentrated in one or more electorate. Another and more serious defect is the fact that no party can be sure of securing representation unless it has an absolute majority of its own supporters in some of the constituencies. Where a political party has not this absolute majority it must depend entirely upon the support of other parties to secure representation. Consequently a good deal of bargaining is resorted to in order to gain members. In the German election of 1907 when the first ballots closed the Social Democrats were at the head of the poll in 44 constituencies, but at the close of the second ballot they were only first in 11. In 46 constituencies they were second on the poll at the first count, but only succeeded in winning three. It will easily be seen from this how much the Social Democrats suffered from hostile combinations of other parties. In Austria a striking illustration is given in the case of the Christian Socialists who secured 96 seats in the Parliament as against the Social Democrats who won 86. Yet the Social Democrats scored over a million votes, while the Christian Socialists only polled 531,000 votes. Legislative bodies under such circumstances cannot be said to be truly representative in character. In the Italian elections of 1904 in the second division of Rome, and in other constituencies, a rally of Clericals at the second ballot enabled the Conservative Monarchists to defeat the Socialists. Sir Arthur Hardinge, speaking of the same system, says—

The victory of the Clerical party in Belgium in 1894 was due to the fact that in every second ballot between Catholics and Socialists, the Liberal voted for the Catholics, while in every

second ballot between Catholics and Liberals, the Socialists voted for the Catholics, thus giving the Clerical, or Catholic party, a huge majority. In the election of 1896 the position was just reversed, the Socialists in this case being the victims.

A more striking instance of the defects of the system is furnished by Count Goblet d'Alviella, who points out that in the Belgian election of 1898, for the Senate, the Socialists spoiled the chance of the Liberals by voting for the Clericals. Not to be outdone, in connection with the elections for the popular chamber, the Liberals blocked the Socialists by also supporting the Clericals. Thus the system allowed the Clericals to obtain all the seats in both the Senate and the Chamber, with the assistance of the Liberals and Socialists in turn. On the day following the election the following statement appeared in the newspaper *La Chronique*:—

Can anything be more absurd than the working of the second ballots in this country? What becomes of the moral force of an election in which parties are obliged, if they wish to win, to implore the support of electors who yesterday were their enemies? Such support is never obtained without conditions, and these conditions are either promises which it is not intended to keep or a surrender of principles, in either case a proceeding utterly immoral.

France also furnishes some excellent examples of the way the system works out. Since 1906 the Conservatives have consistently supported the Socialists at by-elections. That of Charolles is a case in point. In this instance the votes of M. Magnien (Conservative) being in the second ballot given to M. Ducrouge (Socialist) thus placing the latter at the head of the poll. In 1909 the by-election at Uzes was won by a Socialist who was considered to have secured it only from his opponent, the Duc d'Uzes (Conservative), by the help of the Conservatives. So much was this the case that he was received in the Chamber with cries of M. le Duc Uzes.

In dealing with the principle, M. Jaurez in *L'Humanite*, said—

This reform would make unnatural alliances impossible. Each party would be induced, and it would be to each party's advantage to fight its own battle, for every group would have an opportunity of obtaining its full share of representation. There would be no longer any question of doubtful manoeuvres, of confused issues, Socialism would have its advocates, Radicalism its exponents, Conservatism its leaders, and here would be a magnificent propaganda of principles which would inevitably result in the political education of the electorate. Every movement would be assured of representation in proportion to its strength in the country, every party freed from the necessity of entering into alliances which invariably beget suspicion; governmental and administrative corruption would be reduced to a minimum and the real wishes of the people would find expression.

Senator Raymond Poincaré of France condemns the system in unmeasured terms, as also do the Commission du Suffrage Universel, and Carl Blind of Germany adds his quota of criticisms also. The system we have in our State, that of the preferential or alternative vote, has also in my opinion some difficulties, that is whilst each candidate must secure an absolute majority, there is a possibility as in continental countries, of candidates arriving at a determination how the second votes or preference given on their ballot papers should be handed to others as they think desirable. That certainly has the advantage of not being subject to the influences at work on the second ballot, seeing that there is no time elapsing between the two ballots taking place. At any rate, only an evening or a night, and there is not the opportunity of bargaining, as is the case in continental countries. But there is this disadvantage, it is possible for a very small majority to be obtained and elect a member. I believe it is a fact that on one occasion the late Mr. George Leake was elected for Albany by a ma-

jority of one vote. We have also an instance in connection with our own Chamber, when Mr. O'Brien secured election by just that one vote. In either case I do not think it can be urged or safely claimed that the system worked out well or that the minority, a very large minority in those instances, obtained a fair share of representation. I would like, before passing from this phase, to quote the opinion of Professor Nanson, of Melbourne, who was several times referred to by Mr. Gawler. In speaking of government and its result Professor Nanson said—

The theory of government by party is to find the popular mind by the issue of a number of contests between the "ins" and the "outs." But owing to the multiplicity of political issues, this theory is now no more tenable than is the theory that every question can be answered by a plain "Yes" or "No." We require a system capable of finding the mind of the people on more than one issue. With such a system all the difficulties caused at present by the existence of three parties disappear. Instead of being a hindrance three parties will be a help, for each will help to organise public opinion, and so enable the mind of the public on important issues to be more clearly and definitely ascertained.

It has been stated that in certain circumstances our present system is not truly representative of the people, and I take it the first and fundamental principle of government, as we understand it, should be that the will of the people should be given effect to. With constituencies electing one member only it is difficult to bring that about. As I said a few moments ago, where there are many conflicting opinions held in a constituency and only one man represents that constituency, he finds it extremely difficult to represent all the views of his constituents, and for that reason under proportional representation the first thing necessary is that the electorates shall be enlarged, and that there should be more than one member to be elected by each electorate. I think that will appeal to every-

one as being reasonable. The second advantage of the system of proportional representation is the utilisation of the excess votes. In the case I have already referred to, that of the Rev. J. Barr, who, at the Glasgow School Board elections was elected with 81,000 although 40,000 votes would have secured his election, there was a considerable wastage of votes, and the votes of a large number of people had no effect, and their opinions were not represented. The same thing would obtain, to a small extent, if this system obtained in proportional representation unless the use of the excess votes obtained. That is one of the best features of the system. We also have as one of the leading features of the proportional representation system the obtaining of quotas. There are probably in each constituency or district three or four, or possibly five groups of people who all have the same opinion, and who according to their strength expect to have some representation. There are several groups in the metropolitan area which by virtue of their strength could expect one man at any rate representing their particular view. And if under a system of proportional representation they held a certain number of votes it would be possible for them to have at least one member representing their views. That is what is known as the quota, and it is obtained by dividing the votes polled by one more than the seats to be filled and adding one to the result; any candidate obtaining that number would thus have his quota, and would be declared elected straight away. At the risk of wearying members, I would like to quote a typical case of how this would work out, for without a concrete case it is difficult to fasten the system in one's mind. We will suppose that a three-member constituency is being contested, and that there are six candidates. Three of these, Dibbs, Dobbs, and Danes belong to one party, while the others, Mills, Matts, and Moor belong to another party. At the close of the poll the ballot papers are sorted into heaps, corresponding to the names against which the figure 1 had been marked. The result is that the candidates receive No. 1 votes as follows:—Dibbs is marked first upon

1801, Dobbs is marked first on 350, Danes first on 300, Mills first on 820, Matts first on 500, and Moor first on 229. As there are three seats the quota is one more than a fourth of the total of votes polled. The total in this case is 4,000, and the quota is therefore 1,001. Dibbs having obtained more than the necessary quota of votes is declared elected. But he has obtained nearly two quotas of votes. In the absence of any provision for the disposal of his surplus votes, his supporters do not receive the full share of representation to which they are entitled. To ensure that, therefore, we must transfer Dibbs' excess votes in accordance with the wishes of his supporters. These have shown by the way they have marked their ballot papers to whom they desire their votes to be transferred. We will say that the result of the division of the surplus votes is as follows:—Dobbs—original votes 350, transferred votes 648, total 998; Danes—original votes 300, transferred votes 132, total 432; Mills—original votes 820, transferred votes nil, total 820; Matts—original votes 500, transferred votes nil, total 500; Moor—original votes 229, transferred votes 20, total 249. It will be seen that as a result of the distribution of these surplus or excess votes no candidate has obtained sufficient votes to constitute a quota. Therefore, there are no more surplus votes to distribute. The next thing to do, then, is to distribute the ballot papers of Moor, who, being the lowest on the poll, is obviously a defeated candidate. We will suppose that the result of this count is as follows:—Dobbs—previous votes 998, transferred votes 20, total 1,018; Danes—previous votes 432, transferred votes nil, total 432; Mills—previous votes 820, transferred votes 200, total 1,020; Matts—previous votes 500, transferred votes 29, total 529. It will be seen that as a result of this distribution Dobbs and Mills have each obtained more than enough votes to constitute a quota, consequently they are declared elected. As each of the three vacant seats are now filled, the election is at an end. That is the way it works out in the majority of cases, but there are many objections taken to the system, and one is that there

is an element of chance in the second, third, or other counts. The difficulty has been in finding a more practicable way of disposing of the surplus or transferred votes. In Tasmania a system has been adopted of mixing up together the votes of the first candidate and taking from the heap at random the number of excess votes and dividing them according to their preferences, but it will readily occur to the mind that this may create an element of chance. I believe that under the Hare-Clarke system, so named from its inception being due to Mr. Justice Clarke, of Tasmania, the whole of the successful candidate's votes are counted, and the proportions as shown in his first preference votes are observed in the excess votes, and by that means a mathematically accurate result is obtained. Now, the motion moved by Mr. Gawler is that the system should be applied to our Parliamentary system in Western Australia, and the question arises how will it work, or is it practicable in connection with the State of Western Australia? I see no serious difficulty or reason why it cannot be applied in this State. Of course, there would need to be at once a difference in the size and area of electorates, because if we retained the single-member constituencies which we have at present in connection with the lower House, full play would not be given to proportional representation. Even where two members are elected, the system of proportional representation is not given effect to. I will quote a case and show how it works out. In November last there were two vacancies in the representation of the Metropolitan-Suburban Province, and two candidates belonging to one party, Mr. Doland and myself, were elected, and only two votes separated our respective totals. In that case there was no chance for the minority to obtain representation, and it worked out in practice that where there were only two members elected the dominant party for the time being secured the two seats. The same thing would obtain, I believe, in a general election; the minority would not be able to obtain representation as they should do, because the effect would probably be that the

dominant party would elect two members and secure the two seats for that party.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. F. DAVIS: Before tea I was dealing with the necessity for there being at least three members to be elected in the case of a vacancy for biennial or by-elections, in order to give full play to the principle of proportional representation. Judging from interjections, there appeared to be an idea apparent in the Chamber that in the case of by-elections the situation was somewhat altered, but except in the case of Mr. Doland and myself last November, I fail to see that the fact of its being a by-election would make any difference whatever to the working out of the system. There needs to be three members for a majority and minority to be represented at the one time. If there are only two members to be elected it is obvious there cannot be majority and minority representation obtained. It is possible for one member representing one party and another representing a second party to be returned at that election, but it is advisable for electorates to be at least three-seat electorates to provide for the principle of proportional representation. In view of that, it is advisable that in Western Australia, if we apply the system of proportional representation, there should be larger electorates than we have at present, and as a tentative basis, it occurred to me advisable to work out a system and see how it would appear when given effect to. It would appear that, to give full effect to the principle, there would need to be, in connection with the Assembly at any rate, 13 electorates. The eight electorates now forming the metropolitan and suburban group could be under that system a combined metropolitan constituency. The present seats are Perth, East Perth, North Perth, West Perth, Subiaco, Leederville, Guildford, and Canning. The total voters on the roll for these electorates are 38,212. Under the present system that number of voters is represented by eight members. As compared with the rest of the State, if a proportional system

of representation were carried out and the electorates were formed on a population basis, there would be 12 members to represent the same number of voters, that is, 38,212, to give equal value to every vote on that basis. At the present time each member representing these eight electorates taken together has an average vote per member of 4,766, but under the system of proportional representation, with 12 members, the number of votes per member would work out at 3,184. Now that has properly to be taken in connection with the other electorates in order to see if it is correct, or if it works out in strict proportion. Take the Kalgoorlie seats: Kalgoorlie, Boulder, Brown Hill-Ivanhoe, and Hannans. The total votes at present number 16,810, and the average vote per member, if all were polled together, would be 4,200. Under a system of proportional representation on a population basis with the same number of voters, the proportion of members would be five as compared with four at present, and the number of votes per member would be 3,362. Next take the Fremantle group, comprising Fremantle, North-East Fremantle, South Fremantle, and Claremont—which I hold should go with the Fremantle seats—we have a total of 15,848. At the present time, if all these votes are polled together, the average vote per member is 3,962. On the proportional representation basis the number of votes per member would be 3,169, and the number of members five. So it can be seen on that scale there is only about 800 difference between the highest percentage of votes per member and the lowest. I suggest these three groups being combined to give full play to the principle of proportional representation, because it is reasonable to suppose that in an extensive electorate like the metropolitan electorate would be, there would be many shades of opinion sufficiently strong to be entitled to representation in the Legislature; and for that reason I have suggested the grouping of these three principal parts of the State into three electorates, each with representation on that basis. The balance of the State could

very well work out on the same lines and be divided into 10 equal electorates, each having three members, because three members would provide for majority and minority representation. It is true this would entail an addition of two members to the Legislative Assembly, making the number 52, but this is not a serious objection if the system could be proved to be a good one. If the balance of the State were divided into 10 other electorates, the percentage of votes per member would be 2,883, so it will be seen on that basis the difference between the highest and the lowest percentage per member is just about the same variation as we have now—not more than 800. Now, in connection with the Legislative Council, the number of provinces would need to be altered to five, each returning six members. That basis appears necessary in order to give effect to the three-vacancy system. Of course if we have biennial elections as at present there could merely be two members elected in each of the five provinces, which would not allow for majority and minority representation, so that to give full effect to this it would be necessary to have an election every three years with three members retiring on the basis of five provinces with six members representing each province. Possibly the objection would occur to some minds that the area is already large enough for most members to get over. I remember Mr. Cullen stating prior to the last election that he intended to wear out one or two pairs of boots in connection with the elections. I believe he wore out three pairs, so extensive was his area: but to my mind extension of area is not an insuperable objection. We have to take into account that the Federal electorates in this State are five; and if that number can be worked satisfactorily in regard to Federal elections, I see no reason why it cannot be worked also in connection with the Legislative Council. Objection may be raised that such an alteration to give effect to this principle would require an alteration to the Constitution, but that is not a serious objection. I do not hold the view that some members do, that a constitution is necessarily sacro-

sanct, something almost too holy to be touched by ordinary mortals. I believe that if we could alter the Constitution with advantage, there is no sane nor good reason why it should not be altered, and I hold in connection with this principle, it could be done with advantage. Mr. Gawler showed the effect our present system had in connection with the recent Senate election, and there can be no shadow of doubt that in that election the present system worked very much in favour of the Labour party. The number of votes obtained by the Liberal party was a comparatively trifling number behind that obtained by the Labour party, yet we know the Labour party obtained the whole of the representation. I think every fair-minded man will admit that such a result shows a defect somewhere, and that our present system is not as perfect as it might be, and could be altered with advantage. While Mr. Gawler's contention is correct in connection with the Senate election, our present system does not always work out that way; in fact it acts both ways. There are instances on record where the result has been quite different. Take for instance the recent Queensland Assembly elections. From an official return laid on the Table of the Queensland Parliament since that election it was shown that had one-vote-one-value obtained in the elections, the Labour party would have had 32 members, the Ministerial 36, and the Independents 2, because the voting on that occasion was Ministerial 110,000, Labour 99,000, Independent 6,000, leaving out the odd figures. As a matter of fact, the Labour party obtained only 25 seats instead of 32, to which their strength in the country, as shown by the voting, would entitle them to under a system of proportional representation. So it acts both ways. While a party may gain one time by the present system, at another time the result may not be so favourable. We may also take the case of the three provinces more closely situated to the Chamber. Take the Metropolitan Province. There are four Assembly electorates in that province, three of them, Perth, North Perth, and East Perth.

are represented by Labour members, and one, West Perth, is represented by a Liberal member. In 1911 the Liberal vote totalled 6,994 in these electorates, and the Labour vote 8,257. So on this basis the number of seats in the Legislative Council to which the Labour party should have been entitled in respect to this Metropolitan province would have been two, while the Liberal party should have had one. Yet as a matter of fact the Labour party obtained no representation at all in respect to that province in this Chamber. In the West Province are comprised three Assembly seats, namely, Fremantle, North-East Fremantle, and South Fremantle. The proportions of voters are, Liberal 3,039, Labour 6,042. On this basis the number of Labour members representing that province in this Chamber should have been three, and of Liberals nil. Yet we know, of course, that the very reverse obtains. The Metropolitan-Suburban Province contains five Assembly electorates, namely, Guildford, Canning, Leederville, Subiaco, and Claremont, with a total voting strength of 10,079 Labour and 8,310 Liberal. Worked out on that basis the number of members representing that province in this Chamber should have been two Labour, and one Liberal. Yet just the reverse obtains again. So it will be seen that the system does not always work out in favour of one party. But if we desire to ascertain the will of the people and obtain an accurate reflex of their wishes, the system of proportional representation would have that result and should certainly be adopted. For that reason I contend the system is worthy of our consideration, and should become the law of the State. I do not know that it is likely to be law in the near future; but as I have heard predicted on more than one occasion in more than one place, it is simply a question of time when the system must commend itself to every man of a fair mind, to every man who wishes to see the best possible results obtained for the State and for the people. In the event of the motion being carried, even if it not be given effect to immediately, yet the time

is not far distant when it will find practical expression.

On motion by Hon. J. F. Cullen, debate adjourned.

BILL—ELECTION OF SENATORS AMENDMENT.

Second Reading.

Order of the Day for the resumption of the adjourned debate on the second reading, from 18th July, read.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment; and the report adopted.

BILL—INTERSTATE DESTITUTE PERSONS RELIEF.

Second Reading.

Order of the Day for the resumption of the adjourned debate on the second reading, from 30th July, read.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill. Clauses 1 to 27—agreed to.

Clause 28—Appeals:

Hon. D. G. GAWLER: It seemed quite possible that an injustice might be done through an action under the Bill, and that it would be well if some provision were inserted directing that on a judgment being given against a party resident in another State, that judgment should be brought under the notice of such absent party. Clause 19 provided that when an order was made the collector should, upon application by or on behalf of the person in whose favour such order was made, send certain documents to a collector appointed in such other State as the defendant resided in. But this was quite optional with the person obtaining the judgment. If the person

obtaining the judgment did not choose to exercise this option, the opportunity might go by for the defendant to appeal, because the conviction might not be brought under his notice. It might be well if the Colonial Secretary would undertake to look into the question before the third reading stage was reached, and see whether it was not advisable to make it compulsory that the orders should be sent to the absent parties. It was necessary also to draw attention to the provision that summonses need not be served personally; that it need only be proved that a reasonable attempt had been made to so serve the summons. It might easily happen that the applicant for the summons would have no knowledge of the exact whereabouts of the defendant.

The Colonial Secretary: But if the defendant intentionally evaded the service?

Hon. D. G. GAWLER: It was easy to say that an attempt had been made to evade service, but it was a charge very difficult to prove. A good deal of importance might hang upon this point, and the defendant should certainly have the opportunity of replying to it.

The COLONIAL SECRETARY: The matter would be brought under the notice of the Crown Law Department. At the same time the Bill was an exact copy of measures passed in South Australia and Tasmania, and it was the expressed wish of those States that whatever legislation was passed here should be uniform with that already existing. In fact the Bill did not go so far as he wished it. He wished that the provisions were such that we would compel dependents of individuals who were in the Home for the Insane to pay for their maintenance.

Hon. J. D. Connolly: They have to pay for their maintenance.

The COLONIAL SECRETARY: There was no provision in this Bill. He intended to introduce an amending Lunacy Bill in order that action might be taken.

Hon. J. D. CONNOLLY: Three years ago he believed an amendment of the Lunacy Bill was passed to meet the cases mentioned by the Colonial Secretary.

The Colonial Secretary: Not when they have left the State.

Hon. J. D. CONNOLLY: It might not have been an amendment to the Lunacy Act, but a Bill was passed here and in the other States to meet the position mentioned by the Colonial Secretary.

The COLONIAL SECRETARY: The matter had been thoroughly investigated and we were not in a position to compel dependents who lived in the Eastern States to pay for the maintenance of inmates of the Hospital for the Insane. With this Bill and an amendment of the Lunacy Act we would be able to do so.

Clause put and passed.

Schedules. Title—agreed to.

Bill reported without amendment, and the report adopted.

BILL—EXCESS.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: This Bill is introduced for the purpose of obtaining the necessary authority for the expenditure of certain moneys during the year ended 30th June, 1911, when the previous Government held the reins of power. In other words, this is the usual Excess Bill which in keeping with the letter of the law should have been introduced last session, but, owing to the worries incidental to the taking of office, it was overlooked. Attached to the Bill are three schedules which show the items of expenditure during the year 1910-1911 in excess of the Estimates authorised by Parliament. Naturally, I am not in a position to explain the whys and wherefores of the case, but I have no reason to doubt that it was through our predecessors' desire to serve the best interests of the State, according to their judgment. The excess of expenditure from Consolidated Revenue was £181,038 19s. 6d. and from General Loan Fund £106,205 0s. 3d. It would appear that unless the Government had exceeded their funds in some instances public works could not have been carried on with the necessary expedition. Especially was this the

case with the sewerage work, on which there was an excess of £29,000 for that particular year. Under the heading of "Development of Agriculture" we find an excess of £23,391 11s. 7d., which is easily explained when I state that the money was utilised for the purpose of providing water supplies in agricultural areas newly opened to settlement. There is an item of £11,000 which was used to meet charges for compensation to persons whose land was resumed by the Government. Under the heading of "Railways" £26,673 was expended over and above the Estimates to meet direct payments and carry out the construction of railways expeditiously. There are several other items, but I do not think it necessary to furnish an explanation. If an explanation is desired, I will be prepared to supply it as far as possible. I beg to move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

The CHAIRMAN: Either by accident or design the marginal note was missing. He would content himself with reading the number, but it might place him and the House in the painful position of having to read the whole of the clauses.

The COLONIAL SECRETARY: The omission would be brought under the notice of the Parliamentary draftsman.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

BILL—WHITE PHOSPHORUS MATCHES PROHIBITION.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: It may be wondered that it should be necessary to introduce a measure of this character, seeing that phosphorus

or any kind of matches are not likely to be manufactured in Western Australia for many years.

Hon. J. F. CULLEN : Except matrimonial.

The COLONIAL SECRETARY: Some explanation is therefore necessary. The action taken by the Government in submitting this Bill is in response to the repeated solicitations of the Home authorities who desire that Australia should adhere to the terms of the Berne Convention of 1906 which came to a very definite decision in connection with this important question. Close scientific investigation has proved that a most malignant disease known as necrosis or mortification of the bone is contracted by those engaged in the manufacture of matches made from white or yellow phosphorus, and at the Berne Convention a compact was signed in the interests of humanity prohibiting the further manufacture, importation or sale of this particular class of matches. At that convention Germany, Denmark, France, Italy, Luxemburg, the Netherlands, and Switzerland were represented and subsequently Great Britain signified its adherence and also introduced a Bill on similar lines to the one I am submitting to the consideration of this House. The Commonwealth Government were asked to introduce legislation prohibiting the importation of this particular class of match, but the full powers of the Commonwealth begin and end at the prohibition of importation. Before they decided to prohibit they wished that the States should take action in order to prevent the manufacture or sale of matches made from white or yellow phosphorus. At the last Premiers' conference each of the States agreed to introduce a Bill on similar lines to the one I now propose to submit to the House. So far Tasmania is the only State which has carried out the terms, but all the other States propose to fall into line. When they have done so the Federal Government will be in a position to signify to the Berne Convention their adherence so far as this particular question is concerned. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill. Clauses 1 to 4—agreed to.

Clause 5—Prohibition of Sale:

Hon. J. F. CULLEN: Had the Minister noticed that the only penalty for selling was forfeiture of the goods? That seemed to be out of keeping with any other penal Act that had been passed. As a matter of fact in the interpretation clause, selling occupied no fewer than eight subclauses because it was a very serious matter. The seller might be just as guilty and as much interested as the manufacturer, but the only penalty was the forfeiture of what he happened to have possession of at the time. Was it an oversight in drafting? There should be a penalty for selling or attempting to sell.

The COLONIAL SECRETARY: There was no danger from the use of these matches, and it was not considered a great crime that they should be sold, and they could not be sold for long without the discovery being made. The great danger was in the manufacture, and they were not likely to be offered for sale if they were to be confiscated. The measure was not of our drafting, and it had only been amended in the introductory clauses.

Hon. J. F. CULLEN: So far as appearances went, there was no need for the Bill.

The Colonial Secretary: It is a matter of sentiment.

Hon. J. F. CULLEN: Was it possible that there had been an accidental omission? If the Minister would, before the third reading, refer the matter to the draftsman and make sure that there had been no accidental omission, all would be well.

The Colonial Secretary: I will make inquiry into the matter.

Hon. V. HAMERSLEY: What matches would the white phosphorus be used in? Would it be the old sulphur matches or the matches in common use? How was a person to know whether he was selling these or not?

The COLONIAL SECRETARY: The Bill did not include the safety match; it included the wax match in use at the present time; it also included the old Bryant & May match. There had been a mixture invented which would be a substitute for the wax match; it had not been patented yet, but it had been proved to be a success, and the wax match would have to go after the 1st January next.

Clause put and passed.

Clauses 6 to 14—agreed to.

Title—agreed to.

Bill reported without amendment; and the report adopted.

BILL—NORTH FREMANTLE MUNICIPAL TRAMWAYS AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: There is only one clause in this Bill, and it very clearly sets out the object of the measure. Some explanation may, however, be necessary. It appears that the North Fremantle municipality installed electric light some time ago within its borders and paid for installation out of current revenue. They borrowed no money for the purpose, but they subsequently borrowed money for the purpose of laying down tram lines, and after they completed this work they found that they had a balance of £600 or £700, and they thought it would be convenient if they could recoup themselves with this money for the installation of electric light. Owing to the non-existence of legislation, however, they were unable to see their wishes carried into effect. The Bill will give them the power to enable them to do so. Other municipalities are given power to do that which the North Fremantle council seek under the Bill. I beg to move—

That the Bill be now read a second time.

Hon. J. F. CULLEN (South-East): This is really stretching a principle somewhat, and I do not know that this House should pass the measure so lightly. The

Bill purports to cover the recouping of municipal current funds for money spent on a certain purpose out of a later loan for the same purpose. That is not the case at all. The municipality spent its current funds to instal an electric light system; it afterwards borrowed money for another purpose, and it had a surplus, and it is asking us now to authorise the use of that surplus for recouping the municipality for money spent on lighting. It is a most unusual thing to do. In the ordinary course it is very wrong. The clause purports to use money borrowed for the same purpose, but the Minister has explained that it is money borrowed for an entirely different thing. I think it is a great pity that the measure should have been put before Parliament in the way that has been done. The council would be quite right in borrowing money for its lighting system, and it would have been much better to take the straight course and borrow money openly and above board for that specific purpose.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment; and the report adopted.

BILL—NEDLANDS PARK TRAMWAYS AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: The object of the Bill is to enable the tramway company to release a deposit put up as a result of the measure passed in 1909. It appears that the Nedlands Park Tramways Act was introduced to Parliament in 1909, and it insisted that the promoter should put up £1,000 for ten years as a bond that he would carry out his engagement; that money has been lying in the Treasury ever since without earning interest, and there is no machinery by which it could be made to earn interest, and the promoters have been deprived of the use of this money. They

have approached the Government, and the Government see no reason why the deposit should not be returned, providing that a substantial security is forthcoming. The company are ready to furnish that security, but it is impossible for the Government to accept it in lieu of the £1,000 except with the consent of Parliament. With that object in view, the Bill has been introduced. We are quite willing to release that money and allow the promoters to have the use of it, provided we have the authority of Parliament to compel the company to furnish us with suitable security. I beg to move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Bill passed through Committee without debate, reported without amendment: and the report adopted..

House adjourned at 8.32 p.m.

Legislative Assembly,

Tuesday, 6th August, 1912.

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

PAPERS PRESENTED.

By the Minister for Lands: 1, By-law No. 38 of the Victoria Park local board of health. 2, No. 25 of jetty regulations. 3, Reports of engineers *re* Quairading-Nunajin Railway (ordered on

motion by Mr. Monger). 4, Return showing Government grants to trades' halls and workers' halls (ordered on motion by Mr. B. J. Stubbs). 5, Return showing area of conditional purchase land approved (ordered on motion by Hon. J. Mitchell). 6, Return *re* lease of town and suburban blocks (ordered on motion by Hon. J. Mitchell). 7, Papers *re* conditional purchase blocks and homestead leases (ordered on motion by Mr. Monger). 8, Papers *re* removal of E. Hamel from the public service (ordered on motion by Mr. Lander).

QUESTIONS (2)—RAILWAY SLEEPING CARS ON GREAT SOUTHERN LINE.

Mr. E. B. JOHNSTON asked the Minister for Railways: 1, Is he aware that the railway carriages used on the nightly trains between Albany and Fremantle are fitted up for use as sleeping cars, but that sleeping berths are only available to the public on two nights weekly, each way? 2, Is he further aware that, as many people are physically unable to sit up all night, they lie down on the seats, whilst later passengers are cramped up in other carriages, with the result that two passengers often occupy a carriage that, if utilised as a sleeping carriage, would accommodate four persons first-class, or six persons second-class. 3, In these circumstances will he have arrangements made for a few sleeping berths to be available on the passenger trains passing through the Great Southern districts every night? 4, If not, why not?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, No, and the great majority of the passengers travel between Perth and Katanning, between which places a train is run every day in daylight. 3, If sleeping accommodation were provided every night it would be necessary for a special conductor to be in attendance, and the traffic is not sufficiently large during the winter months to warrant this expense. During the last three months the average number of berths booked on the two nights a week on which sleeping accommodation is provided is