

## Legislative Assembly, Thursday, 1st December, 1910.

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

### QUESTION—EDUCATION, INSPECTORS' DUTIES AND HOLIDAYS.

Mr. JOHNSON (for Mr. Price) asked the Minister for Education: 1. How many schools has the Chief Inspector inspected during the past year (not merely casually visited)? 2. How many holidays has Inspector McCollum had at Christmas vacation during the last four years? 3. Has he been on full pay during such holidays? 4. How many holidays is he entitled to under the Public Service Regulations? 5. How many schools did Inspector Robertson visit during the four weeks ending 24th November last? 6. What time did he spend at each school during that period?

The MINISTER FOR EDUCATION replied: 1. None, except the orphanage and industrial schools, numbering seven. 2. Six months' long service leave has been taken in addition to the annual leave. He has been permitted to take the long service leave in detached sections, as it has suited the convenience of the Department. 3. Yes. 4. A fortnight's annual leave and the long service leave prescribed by the Public Service Act. 5. Four. One of the weeks consisted of school holidays, and was spent by Mr. Robertson in correcting examination papers and office work. For four days of another week he was conducting an examination. 6. Three days (about 15½ hours plus 9 hours travelling). Two days (10½ hours plus 4 hours travelling). Two days (9½ hours plus 2½ hours travelling); and one day (1½ hours plus 5

hours travelling) respectively. On the day of visiting the last school, Mr. Robertson was unwell.

### QUESTION—POLICE FORCE, CHARGES AGAINST CONSTABLES.

Mr. JOHNSON asked the Premier: 1. Was a charge made by a Mr. Mathea, of Burtville, against certain constables? 2. If so, did the hon. Colonial Secretary or Commissioner of Police promise an inquiry? 3. Was the inquiry held? 4. If so, what was the nature of the inquiry? 5. If not, why was the inquiry not held?

The PREMIER replied: 1. Yes. 2, 3, and 4. A preliminary inquiry was held, as a result of which the charges were considered to be groundless, and Mr. Mathea was so informed. 5. He has since repeated the charges, which will now be made the subject of a board of inquiry under the Police Act.

### QUESTION—LIQUOR LAW. 1909, APPLICATIONS FOR SUSPENSION.

Mr. HUDSON asked the Attorney General: 1. Have applications been made for the suspension of "The Wines, Beer, and Spirit Sale Act, 1909," in any places in W.A.? 2. If so (a) what are the names of these places and their respective distances from licensed premises? (b) Have any such applications been refused, and for what reasons? 3. Has the operation of the Act been suspended at Northampton? 4. Are there any licensed premises within 15 miles or upwards of Northampton?

The ATTORNEY GENERAL replied: 1, Yes. 2, (a) Grass Patch, 19 miles; Watheroo, 24 miles; Three Springs, 35 miles (1); Three Springs, 34 miles (2); Dumbleyung, 25 miles; Gnowangerup, 30 miles; Nalcain, 25 miles (1); Denningup, 30 miles; Bronzewing, 40 miles; Nalcain, 25 miles (2); Linden, 40 miles; Business Area 82M, 21 miles; Murray Loc. 163, 19 miles; Junction, 110 miles; Bolgart, 23 miles; Boyup Brook, 20 miles; Limestone Well, 15 miles. (b) All have been refused in the exercise of the discretion vested in the Governor in

Council. 3, Yes, as from 1st January, 1911. 4, There are no licensed premises within 15 miles of Northampton, but at Northampton itself there are three premises holding wayside house licenses, all of which, by reason of the population of the township now exceeding the limit prescribed by Section 20 of 57 Victoria, No. 25, expire on 31st December, hence the necessity for suspending the operation of the Act at that place.

#### QUESTION—LAND SELECTION, G. DOUST'S APPLICATIONS.

Mr. HUDSON asked the Minister for Lands: 1, Referring to the answers given by the Minister on the 7th September last to questions regarding the applications of George Doust for land at Dal-yup, were not the applications of Doust lodged at the Land Office, Esperance, on the 21st August, 1909, two days before the application of Dempster was lodged in Perth? 2, If so, how does the Minister reconcile these facts with his answer No. 3 to questions mentioned? 3, Does the Minister give preference to applications made in Perth over those made at country offices? 4, If so, why? 5, Will the Minister reconsider Doust's application?

The MINISTER FOR LANDS replied: 1, The applications were lodged at the Resident Magistrate's office at Esperance. 2, Esperance not being an office at which applications take priority under Section 17, the applications must be dated from the time they are received in Perth. 3, Yes, where Perth is the office for receiving applications, the Act prescribes that they shall have priority according to the date of receipt at such office. 4, See reply to No. 3. 5, No, as the land has already been granted to Mr. F. G. Dempster.

#### QUESTION—AGRICULTURAL BANK, APPLICATION FOR LOAN.

Mr. HORAN asked the Minister for Lands: 1, Will he make himself acquainted with the details of the application of H. G. Toll for a loan from the Agricul-

tural Bank in respect of certain lands held by Toll in the Broome Hill district? 2, Is he in a position to say that the statements contained on departmental files are consistent with fact?

The MINISTER FOR LANDS replied: 1, I am acquainted with the case of Mr. H. G. Toll. 2, I am of the opinion that the departmental statements are consistent with fact.

#### QUESTION—LANDS DEPARTMENT, SEARCHING FILES.

Mr. JOHNSON (for Mr. Price) asked the Minister for Lands: 1, Has his attention been drawn to the following extract of evidence given by a representative of the *Sunday Times* before the Royal Commission on alleged corruption: "The Lands Department had adopted the practice of allowing access to the files, saying in reply to inquiries, 'Here are the files. Search for yourself.' The Minister gave his sanction to this arrangement 12 months ago." 2, Is such evidence correct? 3, If so, will the Minister allow members of Parliament and all representatives of newspapers similar privileges when conducting inquiries at the Lands Department?

The MINISTER FOR LANDS replied: 1, Yes. 2, It is the practice to show files to representatives of newspapers who make inquiry as the result of some complaint that has been made to their offices in connection with the work of the Lands Department when the newspapers are good enough to make inquiry before publishing the complaint. As this information must in common fairness to the newspaper correspondents be of the fullest possible nature, it is necessary that the files be produced. The files are not, however, produced without discrimination. 3, Certainly, when it is thought advisable in the public interest.

#### QUESTION—SCHOOL ATTENDANCE, METROPOLIS.

Mr. HEITMANN asked the Minister for Education: 1, How many ex-seventh scholars were attending the metropolitan

schools prior to the establishment of central schools? 2, How many are there at present?

The MINISTER FOR EDUCATION replied: 1, 139 in December, 1908. 2, 203 in July, 1910.

### PERSONAL EXPLANATION.

*Mr. Heitmann and the Minister for Mines.*

Mr. HEITMANN (Cue): On a matter of privilege I would like the opportunity of saying a few words in reference to something that took place in this Chamber some time ago. My attention has been called to page 222 of *Hansard* of this session. During the speech of the Minister for Mines I interjected in a very uncomplimentary way, I must now admit. I was under the impression that I had been called upon to withdraw that remark, and had withdrawn it. But my attention has been drawn to the fact that it exists in *Hansard*, and that I had not withdrawn it, and I wish to say in calmer moments I regret having made the remark, and also regret that things had been said towards me which made me lose my self-control. I regret the whole affair had happened. I would like to say that at that time the debate on the Address-in-Reply was in progress, and the Minister for Mines was replying to some remarks of mine in reference to the report of Mr. Montgomery, the State Mining Engineer, on the condition of the miners at Day Dawn. The Minister said, if I may be allowed to quote from *Hansard*—

As far as the report which is being obtained is concerned, hon. members will, no doubt, on reading the papers, have noticed that Dr. Cumpston has made a very exhaustive examination in most of the mining centres. It would not be right for me to make any remarks with regard to what that report might be, but there is one thing that I was pleased to see, and which goes to show the difference between the

various people who are endeavouring to mitigate the disease. I recently noticed that Dr. Cumpston sent a letter of thanks to Mr. Dodd and Mr. Glance, and other members of the union at Boulder for the assistance they gave him; but I saw no reference from the doctor to the assistance given him by the member for Cue when he visited the Cue district.

When I heard those remarks I thought, and I still think, that they were most unfair towards me. For many years I have fought the cause of the miners, altogether disinterested. I have fought for them even against some of the miners themselves. After the Commission had been appointed, and when Dr. Cumpston visited Cue, I was working on a mine some miles in the bush with machinery that required a lot of attention, but I made it my business to be in attendance on the Commissioner at night time, and to offer him every possible assistance in the obtaining of witnesses and in other ways. Consequently, when those remarks were made I felt that they were most unfair; but, as I have said, the cause of the sick and diseased miners can be fought without one losing his temper. I again say that I regret having made those remarks, and I trust that there will be no cause for making such statements in the future. I, at all events, will refrain from making similar ones.

The MINISTER FOR MINES (Hon. H. Gregory): I beg to thank the hon. member for the very honourable statement he has just made to the House. It is very probable that when discussing that matter I may not have been aware of the work put in by the hon. member, but I do know that so far as endeavouring to have inquiry made in reference to this matter of miners' phthisis is concerned the member undoubtedly has been very prominent. I thank him very much indeed for his kind withdrawal: it often takes more courage to make such a retraction after the matter has appeared in *Hansard*. I thank him very much indeed, and I only hope that the words complained of will be excised from *Hansard*.

# **BILL — PERMANENT RESERVES-REDEDICATION.**

## *Second Reading.*

The MINISTER FOR LANDS (Hon. J. Mitchell) in moving the second reading said: Some time ago Bunbury town lot 127, containing a quarter acre of land, was allotted to the Goldfields Fresh Air League in order that they might erect a building to accommodate the children who were sent to the coast during the summer months. It was found that it was altogether unsuitable and far too small. The Bunbury Town Council were approached, and they agreed to allow the Fresh Air League one and three-quarter acres on the Western coast. This will be a much more convenient place for the children than the original block. They will have their buildings on portion of the 28-acre reserve, and they will be right on the sea-beach. The land we now desire to grant to the league is known as part of Class A reserve 4991. The Municipal Council have been consulted, and as the goldfields people are anxious to erect a building on the land, their desire is that the land should be granted and this can only be done with the assistance of Parliament; and it will not be until this measure becomes law that they can set about spending money in connection with the building. I dare say hon. members know the objects of the Goldfields Fresh Air League. I believe the league do very good work for the children in the way of bringing them down to the coast and providing them with recreation during the hot summer months. I hope the House will agree to this Bill. I am assured by the Municipal Council that this proposal will not interfere with the public park, and that it will be beneficial to the children who come from the goldfields. I move—

*That the Bill be now read a second time.*

On motion by Mr. Scaddan debate adjourned.

# **BILL—LAND AND INCOME TAX.**

## *Second Reading.*

The PREMIER (Hon. Frank Wilson): in moving the second reading said: The

reason for bringing this measure forward at the present time is that it may be passed as early as possible so that the Taxation Department may get to work sending out notices of assessments, and begin collecting the taxes for the present financial year.

Mr. Walker: Are you going to bring down the Machinery Bill?

The PREMIER: No, certainly not.

Mr. Walker: We may require to make amendments.

The PREMIER: The hon. member can move an amendment if he wishes to do so, or he can table a motion instructing the Government in connection with it. There are many ways of proceeding. Anyhow, this measure is only the ordinary taxation measure in order to raise revenue. It is an exactly similar Bill to that which has been passed in this House during the last three years. This is the fourth Bill of its kind to impose land and income taxes. It provides for the same rates, namely one penny for every pound sterling on the unimproved value of land as assessed under the Machinery Bill, and a tax of fourpence in the pound on incomes subject of course to the exemptions which are provided. With regard to this measure it is not necessary for me to delay the House very long. During the year 1909-10 the estimate of revenue from income tax was £37,000, and the actual receipts amounted to £43,965. This year hon. members will see by turning to my estimates that I hope to obtain £44,000, almost the same amount as we received last year. It is true that we expect to get some increases with regard to income tax, but this will be more especially from settlers on land, those who are cultivating the land, but hon. members will remember this is counteracted to a more or less extent by the reduction which is allowed. Last year from land tax the Treasurer estimated the receipts to be £33,000, and he actually received £34,344. During the present financial year I have estimated that the land tax will yield £40,000, an increase of some £6,000, which I think will be obtained owing to the fact that the official values of land made by the department will to some extent be put into effect. We expect that the increase of

values of our lands will be retarded, slightly at any rate, by the imposition of the Federal land tax. The administration of the department has during the past year been carefully handled, and notwithstanding the fact that there is still a large amount of capital work to be carried out, and notwithstanding that we have still a very large area of estates to value officially, I wish to point out that the work has been carried out as cheaply as in the other States of the Commonwealth. The expenditure of the department, which includes also the collection of dividends and totalisator taxes the same as is done in the other States, equals only six per cent. of the total revenue collected. If we eliminate those two taxes, then the cost is slightly over 11 per cent. Taking the whole of the work of the department into consideration, it has been carried out as cheaply as in the Eastern States, notwithstanding the fact that our taxes are considerably lower. This reflects credit I think upon those in charge of the department. The matter of appeals is one I think that the department should receive some credit for. With regard to the land tax they have had 150 appeals lodged against assessments made, and 22 of these have been disposed of. Every appeal on being lodged is carefully gone through by the chief land tax assessor, and his assistants, and also the appraiser of the value of the land. Of course by having this supervision over these appeals it is very often found that a number of errors have been committed with respect to values and areas and localities, and after having been referred back and gone into carefully, the matter in dispute has been adjusted. Of course the investigation of these appeals takes up a lot of time, and there is a delay in disposing of the claims. Nevertheless it is satisfactory to know that a number of appeals have been settled by the staff, and that the people concerned have not been subjected to the annoyance and inconvenience of appearing before the court. The same thing applies with regard to the income tax appeals. There have not been so many of these appeals lodged, but two of these which involve questions of law will be settled by the

court of review, or the Supreme Court. The rest of the appeals the officials have been able to determine by the very necessary powers they have under the Assessment Act which compels taxpayers to produce their books. In these instances when the books of account are produced the result is that the appeals are withdrawn. In that respect I am glad also to be able to congratulate the department on having not only saved the department considerable trouble and expense, but also saved the taxpayers inconvenience and expense. The amount of arrears outstanding at the end of the last financial year was as far as income tax is concerned £3,060. With regard to the land tax, the amount was £6,485; the two together making a total of £10,500 in round figures. This is much less than previous arrears, and I hope as time goes on and the department gets into better working order the amount will get smaller. It is absolutely impossible to conduct the affairs of the department without some errors, and perhaps the late passage of the Taxation Bill is to be blamed to some extent for these errors. The department in the earlier portion of the financial year has been working on the arrears, and every step is being taken to collect the amount. There is only one other matter that I think I need refer to on this occasion, and that is the incidence of the income tax as far as we have the information available. Hon. members will realise that this information cannot be complete until some years have elapsed because we always have arrears coming in. I have, however, a return showing the incidence of the income tax for the year 1908-9 which is practically complete with the exception of some small arrears outstanding for that year. I do not think this table has yet been published; at any rate it will appear in the next report. This shows that in that year there were 4,632 taxpayers with incomes between £200 and £300 per annum. Of these, owing to the rebates, 996 were relieved altogether from payment of income tax, and the number who were taxed amounted to 3,636. The total amount of income for these 3,636 individuals was in round figures £1,213,000, the total

amount of exemption was slightly over a million, and the total amount of taxable balance £121,989. We received £2,044 by way of taxation from these individuals, equalling an average assessment of 11s. 3d. per head. Between £300 and £500 incomes we had 2,736 taxpayers. Of these 11 were relieved who did not pay any tax at all. The number who paid income tax was 2,725 and they paid on £376,284, producing £6,159 as income tax, or an average assessment of £2 5s. 2d. On incomes between £500 and £700 there were 833 individuals; 3 did not pay any income tax and 830 were so taxed. They were taxed on £259,000, in round figures, and they paid £4,355, or an average assessment of £5 4s. 11d. Between £700 and £1,000, which was the next step in incomes, there were 564 persons. Of these two did not pay income tax, and the 562 did. The total amount on which they paid was £284,000, and the amount received from that was £4,778, equal to an average assessment of £8 10s. With incomes of from £1,000 to £1,500 there were 362 persons, only one of whom was exempt from paying income tax. The 361 paid it, and they paid on £296,000, a total of £4,992 or an average assessment of £13 6s. 7d. On incomes of from £1,500 to £5,000 we had 335 tax payers. They all were taxed. They paid on £602,000, producing £10,138, or an average assessment of £30 5s. 3d. With incomes of £5,000 and over were 52 tax payers. They were all taxed. They paid on £339,000 an amount of £5,895, or an average assessment of £113 7s. 4d. The total was 9,514 tax payers, of whom 1,013 were exempt, while 8,501 paid income tax. They paid on £2,271,100 a total amount of £38,361, the average assessment being £4 10s. 3d. per tax payer. I think it will be readily seen that no matter what fears we had at the time we introduced this taxation it has worked out, so far as we have gone, fairly equitably, and has fallen on the right shoulders. We find that the great majority of the tax payers, the small men, pay very much below the average, the average being £4 10s. 3d., whilst those who are earning salaries or incomes under £300 have paid only 11s. 3d. on an aver-

age, while those having incomes between £300 and £500 have paid £2 5s. 2d. as against £4 10s. 3d. All the others have, of course, paid over the average in order to counterbalance the lower payments I have referred to. This is as it should be. It is placing the burden on those who are able to afford it, and I am glad to be able to give these figures in order to show that the taxation, although at present it does not provide anything near as much revenue as I, as Treasurer, would like to see, is fairly doing its work, and as time goes on I have no doubt we shall be able to make it a very much larger source of revenue.

Mr. Scaddan: It is getting a bit late. The Federal authorities are hooking on to some of it.

The PREMIER: Not in respect to income tax. They have got on to the land tax, and pretty heavily. However, I hope the leader of the Opposition will agree to pass this measure through Committee today.

Mr. Scaddan: No, I desire to secure the adjournment of the second reading. There are a few anomalies I propose to touch upon.

The PREMIER: Not in this?

Mr. Walker: Yes, in this.

Mr. Scaddan: We tried to amend it last year.

The PREMIER: You wanted the Assessment Bill brought forward last year, but you know the Assessment Bill cannot be brought forward this year. I would like to point out to those hon. members who fought to have the taxation measure coupled with that dealing with assessment, that even our friends in the Federal Parliament have followed our example and kept the two measures apart.

Mr. Walker: See what you do by bad example.

The PREMIER: However, I have much pleasure in moving the second reading.

Mr. SCADDAN: I beg to move—

*That the debate be adjourned.*

Motion passed, debate adjourned.

## ANNUAL ESTIMATES, 1910-1911.

*In Committee of Supply.*

Resumed from the 29th November; Mr. Taylor in the Chair.

Vote—*Executive Council*, £75—agreed to.

Vote—*Legislative Council*, £1,811:

Mr. WALKER: In view of the turmoil going on at Home and the movement to abolish the House of Lords, it would be well if the Premier would explicitly tell the Committee what he proposed to do in regard to the abolition of another place. Members would be told we must have something in the nature of a House of review, but it seemed to him that another place was just as hasty in the passing of its measures as was the Legislative Assembly. An instance of this had been shown in the passing of the Southern Cross-Bullfinch Railway Bill. The cry of the country was for the abolition of this fifth wheel of the legislative coach, and the best way sympathy could be shown with that cry was to refuse this vote, which would be a signal of the closing of the doors of that institution. He would remind the Premier that earlier in the session the Government had promised, if not the extinction of the Legislative Council, at least some alteration of the franchise on which the institution was based. That promise had never been kept, and it was only right that the Premier should give some statement as to the intention of the Government in regard to this question.

The PREMIER: The question of the usefulness of another place was far too wide to be confined within the discussion of the vote under consideration. The member for Kanowna knew that we could not possibly in a Committee of Supply get an expression of opinion in regard to so important a question.

Mr. Walker: You had certain references to it in the Governor's Speech.

The PREMIER: The question touched upon in the Governor's Speech was that of reducing the franchise. That would come along, but if hon. members were going to hasten with the business of the country in the same degree that they had done during the last five or six weeks

certainly some considerable time would elapse before the question could be seriously entered upon. It was to be hoped members would not retard the passage of the Estimates by raising this discussion on a question which would be better handled when a Bill of the sort was before the House, and which could be handled at any time by a direct motion, moved by any hon. member. At any rate he could not go into the question of the abolition of the Legislative Council on this occasion.

Mr. HEITMANN: It was a very broad question, perhaps too broad to be discussed now, nevertheless it should not be necessary for a member to bring on a motion to have it discussed. Sir Newton Moore in his first pre-session speech at Bunbury said his Government would favour the reduction of the franchise for the Legislative Council, and the same promise had been given each year in succession. There were two members in the Government, the Attorney General and the Minister for Works, who pledged themselves in the past to the abolition of the Legislative Council. It was due that the Premier should make some effort to fulfil the promise made.

The Premier: I intend to do so if you will let me go on with the business.

Mr. HEITMANN: There were 37 Bills now on the Notice Paper.

The Premier: Why not pass them?

Mr. HEITMANN: They would be passed in accordance with their importance, but we should first of all be given an important measure asked for for many years by the vast majority of the people of the country, and promised by nearly every member of the Government, and supported by nearly every member on the Government side. Such a measure should have been introduced in the early part of the session so that members, and even members of the Legislative Council, could have the opportunity of discussing it. The time was not far distant when some change must take place in the constitution of the Legislative Council. The writing was on the wall. Even the *Daily News* said the Legislative Council must go. Another important phase of the

question was the effect the present franchise of the Legislative Council was having on the people of the country in relation to the Federal Parliament. The idea prevailed that the people could get from the Federal Parliament what was refused in this State and would be refused here while the Legislative Council was constituted as at present. In order to save themselves the members of the Legislative Council should broaden their franchise. At any rate it was time we had a definite statement from the Premier as to whether a Bill was to be brought down or not.

Mr. WALKER: The Premier had misunderstood the point raised. There was no other part of the session when we could reasonably ask the Premier to make a statement as to the attitude of the Government on this subject. The statement in the Governor's Speech in July last was the statement of Sir Newton Moore, and that was a distinct promise that a Bill for the liberalisation of the franchise for the Upper House would be brought down this session; but although in general terms the present Premier had informed us that he and his colleagues were running in the groove set out for them by the Moore Government, yet in detail there was no expression of the opinion of the present Premier upon the point. One could not but think there was some spirit of avoidance of the fulfilment of the programme, because there was no intimation as to the intention of the present Government to carry out that policy. Now we had reached the close of the session, when the business sheet was full of Bills, which we could not possibly consider and do justice to in the time allotted, yet in the most nonchalant way the Premier told us he would consider it at some time, or, if he did not, members could bring forward a motion to deal with the question.

The Premier: I said only with regard to the abolition of the Legislative Council; please quote me rightly.

Mr. WALKER: The hon. member was not quoted, except as to what was said in the direction of giving members a chance to discuss it. The sense of what the Premier said was that if members wanted to discuss the whole question relating to

the Upper House, it could be done by means of a motion. But there was no chance of the Government giving precedence to a motion of that kind over the Bills which were tabled for the consideration of members. So there was no chance of dealing with the matter except the present. In England the people were in the throes of excitement and nascent revolution on this subject, yet it was too small a question to devote a few minutes to in this Chamber. However, it would need to be faced at no remote date, because it was the one question stirring up the public mind throughout the length and breadth of Australasia. It was one of those questions in which the whole destiny of the land was wrapped up as regards the future. It was the cry of the people, that if the Upper House question was not dealt with we would have Unification, and our State Parliaments would be wiped out of existence; so it was a most urgent point, and one that would have to be decided in the future, as to whether we would deal with the Upper House or whether the electors upon the Federal roll should deal with State Houses in their entirety, either wipe them out or wipe out the Upper Houses only. This point had assumed actual shape, yet we were to have no statement upon it from the Premier. It was conceivable the Government might not approve of the liberalisation of the franchise in the way foreshadowed by Sir Newton Moore at the last general elections. The Government might wish to change the entire constitution of the Legislative Council. He (Mr. Walker) would prefer a nominee House to a Chamber constituted as the present Legislative Council, though he would prefer still more that the constitution of the Assembly should be altered and the Council entirely abolished. These were not fanciful questions sprung on the Government, but were questions that should have been considered before this, and which should be answered from the Government standpoint before any step was taken in passing the vote on the Estimates for the Legislative Council. The point was whether members were to submit to pass-



ing the vote in silence or be accused of blocking public business. What would the people say if members allowed a question of this importance to pass entirely without notice at the only possible time the matter could be discussed? We were sent here by electors who had made it a plank in their policy to abolish the Upper House. We had received no statement from the present Government, constituted as it was, as to their attitude on this question. Were we not strictly within our rights in asking a number of formal questions of the Government. Did the Government intend to liberalise the franchise of the Upper House, and if so to what extent; or did the Government contemplate any reduction of members in that House? Did the Government contemplate the abolition of that Chamber, and the alteration of this Chamber as a consequence? He was entitled to have answers to these questions. Again he was voicing the opinions of the people: he was sent here to try and carry out their wishes in that direction. His voice was their voice. When he asked these questions, therefore, it was the duty of the Government to give some definite answer to them, and again he submitted the proper time to ask was now when the vote for the Legislative Council was under consideration.

Mr. SCADDAN: The member for Kanowna had adopted the right attitude in asking the Premier to make a statement at this stage as to his intention regarding another place. He wished to draw the attention of the Premier to the fact that we had discussed this matter on a former occasion when the Premier made his ministerial statement on taking office. The Premier on that occasion omitted to make any reference in his remarks on the Constitution Act Amendment as to a reduction of the franchise for another place. The Premier said that he would introduce a Bill, but he did not state that it would contain any clause that would make the reduction of the franchise of another place possible. Here was the Premier's statement—

We also intend to submit to the House a Constitution Act Amendment Bill,

The Premier: Whose statement is that? Mr. SCADDAN: The Premier's statement.

The Premier: Is that statement not all right?

Mr. SCADDAN: No. He would show it was not all right. The Premier went on to say—

a Bill which has been promised for some time, and we are going to endeavour to pass it.

It looked very like that. Here we were getting towards the end of the session, and the Bill had not been introduced in this Chamber. He was not in the confidence of the Premier, but he would be able to tell members why the Bill had not been introduced. The Premier went on to say—

Amongst other things it will increase the life of Parliament from three years to four years, and it will also abolish the necessity for a member of the House, on accepting a portfolio, having to seek re-election. That, of course, will be accepted by members of the Opposition.

That was all the Premier stated was going to be contained in a measure of vast importance to the community at large.

The Attorney General: "Amongst other things."

Mr. SCADDAN: Yes, but when discussing the vote of no-confidence against the Government, he (Mr. Scaddan) took the Minister to task for his omission in that direction, and he asked then why the Premier had not made provision in the Constitution Act Amendment Bill for a reduction of the franchise of another place, or whether the Premier would re-introduce the Bill as previously rejected by another place, and the Premier replied, asking, "Did I not hear him make that admission?" He (Mr. Scaddan) had looked up *Hansard* and the reports in the Press, and he found they did not contain any admission by the Premier. The Premier had carefully avoided making any reference as to his intention regarding the introduction of this Bill. What conclusions were we to draw from the attitude taken up by the Premier on that occa-

sion? If attention had not been drawn to the omission, one could accept the Premier's assurance that it was his intention to make the reduction. Would the Premier state now that he intended to do so?

The Premier: A reduction of the franchise?

Mr. SCADDAN: Yes.

The Premier: Certainly.

Mr. SCADDAN: Then he accepted the Premier's assurance. He would tell the member for Kanowna the reason the Bill had not been introduced yet, because the Premier wanted the assistance of another place to pass his Redistribution of Seats Bill. The Premier had no desire to rile another place until they had assisted him to pass the Redistribution of Seats Bill; therefore the Constitution Act Amendment Bill which had previously passed this Chamber, and could be passed again in a couple of sittings, had not been introduced, and we were approaching the close of the session. It must be remembered that the other Chamber was continually warning the Government against filling their Notice Paper with important measures towards the close of the session, and that if the Government did so they would decline to pass those measures. Did the Premier not know that that warning had been made again, and that the gentlemen of another place were determined to carry out that threat; probably he did know, and that he was anxious they should do it. Probably that was why the Premier wished to put the Constitution Act Amendment Bill so late on the Notice Paper. One did not desire to impute motives to anybody, but, judging by the actions of the Government, and when speaking of the Government he meant 'he Rason, the Moore, and the Wilson Governments, they had dilly-dallied with this measure on constitutional reform for the past five years, and now we were getting towards the close of another Parliament, the Bill had not reached the Assembly, and there was the threat of another place hanging over our heads. One must think that there was no desire on the part of the Government to have this Bill enacted. When the Premier sought re-election for

Sussex in 1905 he promised his electors that this would be one of the first measures introduced in the Assembly. The Premier had repeated that promise on two occasions when he had stood for re-election. So did Sir Newton Moore when Premier. The Premier had now stated that it was still his intention, but it was nothing more nor less than flying kites to assist the Government in the election which would take place next year. The Government had no more desire to pass this measure than had the Government to pass the Licensing Bill last session. The action of the Government in connection with the Constitution Act Amendment Bill right through the piece showed that those in charge of the Ministerial bench were not in earnest in this matter. Their heart was not in the right place in connection with this measure. Mr. Rason told the electors that it required a strong man to introduce this Bill, and that he intended to do it. The present Premier had made use of such words as these, that the Government would stand or fall on a policy of a reduction of the franchise of another place. He (Mr. Scaddan) would probably receive a reply that the Constitution Act Amendment Bill was passed in another place, but that the majority was not that required to amend the Constitution. That too might be one of the strings which the Government had to their bow, but if the Government desired to have that Bill passed into law last session they could have obtained the votes, on that occasion, of certain supporters. The Premier must recognise that the people of the different States desired to make some progress in legislation; they were not prepared to stand still, and if the Legislative Councils did not permit the legislation to pass which would be of benefit to the community, then the people would look in other directions for it, and the people were doing that to-day. It did not matter to the mass of the people where they obtained their benefits, either from the Federal Parliament or the State Parliaments, but the people were determined to get them. So long as the Legislative Councils remained the people recognised that they could not get

those democratic measures which they desired, and they would therefore go to the Federal Parliament to get them. He trusted the Premier would make a definite announcement not only to this Chamber, but to the other Chamber, and to the country at large. We desired the people to recognise that the Assembly would insist that the people should get such measures on the statute-book as they desired irrespective of whether the people of another place wished it or not, and if the Council acted as they had done in the past they would have to go, or we would have to go. That was, the State Parliament would have to go holus bolus, and he for one would not object to the whole State Parliament going if another place stood in the way of democratic progress in the State. As a matter of fact he would urge that the people should look in the direction where they could get their reforms easiest, whether through the Federal Parliament or the State Parliament, notwithstanding that he might be told by members opposite that he was against State interests. It was no use the Premier stumping the country in April next against the referendums which would be submitted to the people unless he took some strong action in regard to another place. The democratic people of the community would not listen to the Premier for one moment so long as he did not insist that some reform should take place in another place. The piecemeal reform proposed by the Government would not give satisfaction. The Legislative Council could not stand in the way of the progress of the State, and the sooner the Government recognised that for the protection of the State interests, the better it would be for them, for the Parliament, and for the community as a whole.

The PREMIER: All members who had spoken were out of order in discussing a question of that description, for it had nothing whatever to do with the Estimates before the Committee. But as so much license had been permitted to the leader of the Opposition and other members, perhaps he might be pardoned for taking up a very few minutes in responding. At the outset he

wanted to say that he was not prepared at that moment to debate the big question as to the existence or non-existence of another place, but he did repudiate the suggestion of the leader of the Opposition—and it came from that hon. member with very bad grace—that the Government were not sincere in the matter of reducing the Legislative Council franchise.

Mr. Swan: How can we think differently?

The PREMIER: The hon. member was so dense that he could not think at all. As the leader of the Opposition knew well, he had been a member of other administrations ever since the Labour Government left office, and he had been Acting Premier during Sir Newton Moore's absence in London. Immediately on Sir Newton's return the Governor's speech was framed, discussed in Cabinet, and adopted, and he (the Premier) was a party to the adoption of it and to the endorsement of the programme mentioned therein. It was well known to the leader of the Opposition that he (the Premier) was prepared to carry out the promises of the previous Administration, and that the policy of the Government was to bring down a measure to reduce the franchise of the Legislative Council to £15, as had been announced on more than one occasion by his predecessor.

Mr. Scaddan: At the Subiaco meeting when I was present you omitted to make any mention whatever of this subject when alluding to the Bills you intended to introduce.

The PREMIER: A speaker was not supposed to mention every item of a policy that was in print. He did not go about with a pack of notes, and he did not require to touch on every item on every occasion, nor would time permit him to do so. He wanted only to touch on the important matters, or the matters that specially interested the audience he was addressing. In doing that he was only taking a leaf from the book of his friends opposite. He hoped that he had made it clear that if the session was unduly extended into the warm

months of the summer, and that if measures of importance were not passed during the session, it would not be his fault. Those measures would be introduced, and if members opposite would help him to put them through and to get through the Estimates—

Mr. Walker: Without debate?

The PREMIER: Without the debate experienced in the Chamber recently, when members had spoken for 2½ hours and 1½ hours on one subject in attacking the Government instead of applying themselves to the business of the House. On every subject there was a discussion of the Government.

Mr. Scaddan: But these Estimates are your policy.

The PREMIER: The discussion was absolutely out of order. The question was whether a sum of £1,800 should be spent on the Legislative Council. If members wanted to strike out the item they must do so, but they could not go all round the alleged misconduct of the Premier or the Government in discussing the matter.

Mr. Walker: When we have a grievance now is our time to state it.

The PREMIER: Now was not the time to discuss whether the Legislative Council should be abolished, or whether support should be given to certain gentlemen in their proposals for Unification, or whether the Premier was going to get a hearing when he went to the goldfields.

Mr. SCADDAN: Ever since the Premier had taken charge of the Government members had looked for a statement from him in connection with that most important measure, the Legislative Council Franchise Bill, one that had been promised for five years by each of the Governments who had succeeded the Labour Government.

The Premier: I told the hon. member that the measure is going to be brought down this session, and introduced in this House. I can go no further than that. This discussion is foreign to the Estimates.

Mr. SCADDAN: Surely the Premier's policy was shown in the Estimates, which

included provision for the carrying on of all departments. The Committee were discussing a provision for carrying on the Legislative Council, and now was the time for discussing the Government's intentions in regard to that Chamber.

Mr. Osborn: If they did not intend to carry it on they would not have the item there.

Mr. SCADDAN: After that statement from one of the principal supporters of the Government would the Premier still adhere to his statement? The Premier, not once, but on several occasions, had refrained from making any mention of a Constitution Act Amendment Bill which would contain provision for the reduction of the franchise of another place. When he announced at Subiaco the Government's intention for the session he mentioned the Licensing Bill, the Health Bill, and the Roads Bill, and said that other important measures would include the Redistribution of Seats Bill; those were the four important measures which the Government intended to place before Parliament. Surely that was pronounced enough. Either the reduction of the Legislative Council franchise was an unimportant matter or else the Government did not intend to bring it forward this session. That was the only conclusion people could draw from the Premier's remarks. The Bill should be before the House at the present time, and the fact that the Premier now stated that he intended to introduce the Bill led one to believe that he wanted to pass the Redistribution of Seats Bill through another place before bringing forward the franchise Bill.

Mr. WALKER: There was no breach of procedure in discussing that matter on the Estimates. It was the duty of members to correct abuses before granting supplies. That was the dearest privilege of Parliament, and the object for which Parliament existed. No battles had been more fiercely fought than upon the question of not granting supplies until grievances had been redressed. Members were now asking for the redress of a very serious grievance. The

consideration of Bills in the Federal Legislature dealing indirectly with that very question made it necessary for members to know what attitude the Government would take in regard thereto. Not only in the Federal House, but in every State Legislature at the present moment the question was one of the liveliest character, and that it was not a trivial matter he ventured to draw the attention of the Premier to a report given in the *Adelaide Observer* of the 26th November, headed "An ex parte statement." This report reads—

The Attorney General in moving the second reading of the Bill to provide methods for the settlement of deadlocks between the two Houses, made a violent attack upon the Legislative Council. In South Australia, he said, they had an Upper House without a soul to be damned or a body to be kicked. It arrogated to itself the right to deliberately thwart the expressed views of the constituents. It was never intended that there should be a body so lost to its sense of popular responsibility as to take an obstructive attitude upon almost every case. It would have been better to have had a nominee House, to which the Government could have appointed some venerable old gentlemen who had done something in the city, who would be willing to while away their time in the Upper House during their less somnolent moments. The Upper House had served no useful purpose during the whole of its career, because no Bill which ought to have been stopped had been stopped by it, but many measures which ought to have been passed had not become law as the result of the obstructive tactics. (Mr. Young:—"That is an ex parte statement.") He challenged the hon. member to point to a Bill that had been stopped that should have been stopped. (Mr. Young:—"I could contradict you but I do not suggest that any Bill I name would suit you. What would have suited you five years ago might not suit you now.") (Mr. Denny:—"Bills have been blocked that should not have been blocked.") (Mr. Young:—"I can give you an instance of a Bill that should

be blocked—the Taxation Bill.") Mr. Denny:—The hon. member is changing his ground. The dominating factor against that Bill is not its merits but selfish interests. A gentle confidence trick is being worked on the electors by the Upper House. Continuing, he said the *Register* had a leading article on "Save the Constitution," but they had no Constitution in South Australia that was worth saving. It was as bad and unworkable as any Constitution could be. The Labour party was not going to allow the Upper House to dominate it, and then expect the Government to say, "We must save State rights." It was better to depend upon the Federal House, and let those who stood in the way of reform pay the penalty. He had advised the Labour party not to bother about the State Legislature, but to get all its powers from the National Parliament. (Mr. Young:—"You must uphold the Constitution.") It was not worth upholding. (Mr. Young:—"You have taken an oath to uphold it.") That was a little joke of the hon. member's. (Mr. Young:—"That is the easiest way to turn it off.") It was a derelict Constitution, which was not set upon grounds of reason, but was an intolerant aggression against the wish of the people.

Mr. Gordon: On a point of order. Was it permissible for the hon. member, if he could not make a speech off his own bat to read the speeches of others?

Mr. WALKER: An interruption of that kind was to be expected from the hon. member. When he contributed anything original or of value to the House we should hoist a flag on every turret of this building.

The Labour party would strongly support the referendums. In the other place the Factories Bill had been hung up so that Mr. Moulden could catch a train. (Mr. Homburg:—"You know that is wrong.") It was in *Hansard*. (Mr. Young:—"The same reason that we will adjourn on December 2nd.") The hon. members would have an opportunity of coming back after the Murray trip.

The CHAIRMAN: Would the hon. member say how the statement he was

reading affected the item under discussion?

Mr. WALKER: Everything in the report had been read so that he could not be accused of reading inaccurately. It was to show that a Minister of the Crown had drawn attention to the fact that the Labour party in South Australia would be advised to vote for the referendums? Why? Because of the existence of that Chamber which had everlastingly blocked legislation for the people. That was the connection between the extract and the item under discussion.

The CHAIRMAN: The hon. member was hardly in order in discussing the alteration of the Constitution on this item. While every latitude had been given to hon. members to express their views hon. members would realise that under the item one could hardly discuss the whole of the Constitution or the alteration of it.

Mr. WALKER: What was under discussion was that which was comprised in and covered by the item on this vote. This was the only opportunity the Committee had of ever discussing this question.

Mr. Scaddan: We can refuse Supply.

Mr. WALKER: We could do that, and our solid reason would be because the Government, in its promise of legislation, had broken faith with the Chamber and the people, and had not carried out the promises they had given and apparently had no intention of carrying out those promises. What time could we have but now to deal with this question unless we were to be false to our duties. It was the only chance we would have to bring the matter before the Government, and to do so in no kid-glove manner and in no honeyed speech, but in such a form that it would be recognised, so that what was meant would be understood. There was more in this than appeared on the surface; we were standing on the edge of a precipice.

Mr. Gordon: I wish you would fall in.

Mr. WALKER: The murderous sentiments of the hon. member were reciprocated, and if that hon. member fell in first he (Mr. Walker) would do himself the honour of jumping on him. These unseemly interruptions showed the hon.

member's unfitness and incapacity to take part in any way in a debate of this kind. In the consideration of this vote the very existence of the Chamber in which we sat was involved, and if we neglected to bring the Government to its duty upon this point now we should have no other opportunity before the referenda were taken at the beginning of next year, and blindly, without a statement from the Government the people of the State might be expected to vote, and how would they be likely to vote? They would be likely to vote for increasing the powers of the Federal Legislature, because they would say, "You have a Chamber there which the Government declined to reform in a substantial manner, and whilst that Chamber is there the liberties and privileges and the high ideals of democracy are impossible." That was the position, therefore we were in perfect order in discussing it. He was not satisfied with the reply the Premier had given. The Premier had told the Committee in effect that there was an intention to bring down a Bill, but when the Premier had the opportunity of classifying the Bills, the important Bills, he gave place to only four, and in that list of four this measure of reform was not given. Could we infer anything else but that it was to be kept dangling as a stock-in-trade, hanging it up for exhibition and not for sale or use, or to be put into practice? We had the right to say to the Government, "You are using this as an advertisement for political purposes and no more." Were we not right in saying that the Government were not in sober earnest upon this great question, and that there was no intention on their part to alter the Constitution of the Upper House? The Government would go to the country and say that the Opposition were blocking the measure. He was tired of hearing the excuses which were given by the Premier again and again. There had never been in the history of Western Australia an occasion where there was less obstruction to a Government than the present Government had received during the course of its career. Could we be accused of obstructing now in devoting a few minutes to the discussion of this momentous ques-

tion affecting the destiny of the whole of Australia?

*Sitting suspended from 6.15 to 7.30 p.m.*

Mr. WALKER: Before concluding he desired to make clear the object he had in endeavouring to force on the Government the necessity for dealing with the question of the Upper House reform. His object was to draw attention to the one stern fact which we were now encountering, namely that unless we dealt with the question the rights of all electors of the State would be taken from them, and we should be governed from one centre of the Commonwealth. In the interests of local government, indeed of this very Parliament, he was drawing the Government's attention to the necessity for dealing with the matter trenchantly and strongly. He had always been in favour of local government, but the whole of the Commonwealth was declaring that if local government meant government by a class in the community, by the Upper Houses, if the will of the people was to be frustrated, then these Upper Houses must go. That was the writing on the wall. Hence it was no trivial thing, but a matter for speedy and earnest attention. We should have a pronouncement clear and certain before the debate was closed. He had drawn attention to the subject as a duty to the people and to the House of which he was a member.

Mr. HOLMAN: The vote was of such importance that it should not be passed without a pretty full debate. The Legislative Council was popularly believed to be a House of review, placing a check on hasty legislation. During the past few weeks, however, we have seen most important measures sent to that place and passed through without any consideration whatever. He was quite sure that measures had no review whatever in another place, for no matter how important the question, it was there dealt with and disposed of in a very brief time, unless, indeed, it was something affecting the position of members in another place, when it was either held over or thrown out. In his

opinion the Legislative Council should be wiped out altogether. If we were to have the control of our own affairs the sooner another place was done away with the better for the State. So long as the Legislative Council continued in the paths it had trodden in the past, so long would the people clamour for more power being placed in the hands of the Federal Parliament. We should either do away with the Legislative Council altogether, or so liberalise its franchise that the people of the State might have a greater voice in its election. Under existing conditions the work done by the Legislative Assembly, representing some 140,000 electors, could be brushed on one side by the Council representing only 30,000 property owners.

Mr. Brown: It is a pity the electors could not be here to see the way we cater for them.

Mr. HOLMAN: If we were all like the hon. member those electors would be catered for very poorly indeed, because there was no more incapable member in the House than the member for Perth, who, however, was not altogether responsible for his inability. The question of the day was whether or not the people were to be allowed to govern the country. No matter what democratic legislation was passed by the Legislative Assembly, when it reached another place the interests of the people were sacrificed for the purpose of bolstering up the property owners. Surely if the people of the State as a whole were capable of electing the members of the Legislative Assembly and of both Houses of the Federal Parliament, they were equally capable of electing the members of the Legislative Council. In another place, which sat on an average only one-tenth of the time we sat here—

Mr. Brown: They do all the work we do, anyhow.

Mr. HOLMAN: The work done by the Legislative Assembly was undone in a very short time after reaching another place.

The CHAIRMAN: The hon. member was hardly in order in following that line of discussion.

Mr. HOLMAN: The object of his remarks was to show that the Council could undo the whole of the work done by the Assembly.

The CHAIRMAN: The vote was not dealing with the Council in any respect other than the paying of the officers necessary to the carrying on of the business of that Chamber. It had nothing to do with the franchise of the Legislative Council, or with amending the constitution.

Mr. HOLMAN: What opportunity had we had or would we have of discussing the Legislative Council?

The CHAIRMAN: The hon. member would have been more in order on the general discussion on the Budget. Now that the items were under discussion hon. members ought not to think they were still on the Budget. While on the Budget, debate had been allowed the greatest freedom, but now we had reached the items it was to be hoped members would confine themselves to those items.

Mr. HOLMAN: In view of the ruling given he would deal with item No. 1, The President. That gentleman was the head of a body having power to veto every measure sent along from the Legislative Assembly.

Mr. SCADDAN: On a point of order. Before we proceeded further he desired to know whether the Chairman proposed to alter the usual practice of discussing each division generally before taking the items. We had always discussed a division generally, and then subsequently proceeded to discuss the items.

Mr. Holman: I would like the Clerk to keep his mouth shut when we are dealing with the Chairman.

The CHAIRMAN: The hon. member would be required to withdraw that remark; it was a reflection on an officer of the House.

Mr. Holman: The remark would be withdrawn, but he hoped the point mentioned would be observed in the future and that the Clerk would be asked to withdraw if the Clerk did it again.

Mr. Scaddan: Was it to be the practice to have a general debate on each division?

The CHAIRMAN: There was a misunderstanding because the item had been called by him instead of the vote. Hon. members could deal with the items in discussing the vote. The vote was the "Legislative Council." Liberal discussion had been allowed, and he asked hon. members to confine themselves to the vote as nearly as possible.

Mr. Gordon: The member for Murchison cited item No. 1.

The CHAIRMAN: If the hon. member called item No. 1 then the hon. member must deal with that item, but it was to be presumed that the member for Murchison took his cue from the mistake made in mentioning the item instead of the vote. What was intended was to state the question as the vote instead of the item.

Mr. HOLMAN: In referring to item 1 his impression was that the whole of the Council vote could be dealt with. He was dealing with the work of the Legislative Council when called to order. This work could not be conducted if the vote was struck out. He was anxious to know what the position would be if the vote were struck out. In drawing attention to the manner in which the Legislative Council had done their business in the past, it was to show how the sympathy of the people had been alienated from that House; and that this was bringing about Unification. In dealing with this subject he was confining himself strictly to the vote. If we allowed business to be conducted as now, where all the work of the Assembly could be vetoed by the Council; we should be in danger of the people rising up against present conditions and asking for Unification to be brought about. This he did not desire to see. If we could not discuss the business methods of the Legislative Council under this vote—

The CHAIRMAN: The hon. member was not in order in discussing that under this vote.

The MINISTER FOR MINES: If the hon. member was allowed to discuss the constitution of the Legislative Council he would be at liberty to discuss every matter under the sun.



The CHAIRMAN: The member for Murchison was not in order in discussing the Constitution under this vote. Considerable freedom had been allowed in the discussion of the vote, and it was to be hoped that members would now confine themselves to the items. It was distinctly out of order to attempt to discuss the constitution or the franchise of the Legislative Council under this vote.

Mr. HOLMAN: It was intended to move an amendment.

The CHAIRMAN: The hon. member would be in order in doing so.

*Dissent from Chairman's Ruling.*

Mr. Walker: Before that is done I venture to dissent from the Chairman's ruling. We are discussing a vote under Supply which deals with the Legislative Council, and I submit that everything affecting the work and character of that institution, all grievances, complaints and expenses connected therewith, can be discussed under this vote. It is absolutely necessary that members' right to discuss so important a matter should not in any way be curtailed, and therefore I venture to dissent from the Chairman's ruling.

Mr. Hudson: What is the ruling?

Mr. Walker: That we should confine ourselves to the items included in the vote.

The Chairman: I ruled that the hon. member for Murchison was not in order in discussing the constitution of the Legislative Council under this vote, nor in discussing the franchise of the Council, which is covered by the constitution.

Mr. Hudson: Do I understand—

The Chairman: My ruling has been objected to, and the member for Kanowna is submitting it in writing. There can be no further discussion.

Mr. Walker: My dissent is, "That the ruling of the Chairman of Committees that the member for Murchison is not in order in discussing the constitution and the franchise of the Legislative Council under the vote 'Legislative Council' be dissented from."

The Speaker resumed the Chair.

The Chairman reported to Mr. Speaker that dissent had been taken in writing to the ruling that the member for Murchison was out of order in discussing the fran-

chise of the Legislative Council under the vote for the Legislative Council.

Mr. Walker: I am sorry to have to appeal to you, Mr. Speaker, but the ruling of the Chairman was a clear restriction of the right of debate on the Estimates. It is a clear rule of logic in debate that whatever is relative or can be rendered relative by analogy is permissive in the course of debate. When we come to a division dealing with any specific subject, such as the Legislative Council, all matters pertaining to the management, regulation, course of conduct, business, expense or whatsoever can reasonably be connected with the subject or issues out of it, are relevant and therefore premissive. The Chairman has said that we cannot deal with the constitution of the Legislative Council. The very items of the vote are part of the constitution of the Council. The items President, Chairman of Committees, Clerk of Council, messengers, are all part of the elements or constitution of that body. We are to vote money for the maintenance of these offices that constitute that Chamber, and the question can naturally arise—is it worth while paying that money? If that question at all be put, and you must admit that such a question would be relative to the vote, then come the questions—What is the money paid for? Can we do without it? Cannot we dispense with that Chamber altogether? Cannot we save the country the money that we are asked to vote? All that is relevant, and if you put a question like that you are justified in putting your reasons why we should dispense with this annual payment of money. On going into that you can go into the wisdom or not of retaining another assembly. So far as it deals with the Constitution, you cannot deal with the office without dealing with the constitution of that Chamber. Then as to the franchise, that is a question of Government policy. The policy of the Government with regard to the Legislative Council is legitimately no part of the Estimates, but under this vote it is the only time we can deal with the Government's policy as affecting the franchise of the Upper House.

If that is so, an hon. member in discussing the attitude of the Government towards the franchise cannot but be in order. There is no other place in the world where he can discuss it. What is the object of discussing this question at all, but to have abuses reformed if possible; to have the Government keep faith in regard to their promises. It surely is not contended that we must take the vote without discussion. My point is that whatsoever naturally arises from the discussion of the payment to the maintenance of this branch of the Legislature is cognate to the matter.

The Premier: On a point of order. I submit there is no motion before the House, and at present the member is out of order in addressing you. The Chairman's ruling has been dissented from, and under Standing Order 115 no member shall be permitted to speak unless he is moving a motion or concludes with a motion. You have not yet given your opinion as to the ruling of the Chairman, and therefore, I maintain the member for Kanowna is entirely out of order in addressing the Chair at present.

Mr. Walker: I am surprised at the Premier. In fact you are appealed to by a direct motion.

Mr. Speaker: I did not give any ruling.

Mr. Walker: Neither would you be justified in doing so without the House hearing my reasons for the motion.

The Attorney General: Are we to reply? Why, the debate may go on all night. It is an absolute travesty of Parliamentary proceedings.

Mr. Hudson: Is the hon. member in order in talking across the Chamber?

Mr. Walker: I ask your protection from the insolence of the Attorney General.

Mr. Speaker: I was looking up a case. A similar question was raised last year. I was glad to hear the member say a few words, but to put the matter in order I have no hesitation in saying that I uphold the ruling of the Chairman of Committees. Exactly the same ruling was given last year.

Mr. Walker: I beg Mr. Speaker's pardon. Your ruling no longer ago than last year was dissented from; the House reversed your ruling.

Mr. Speaker: I remember the case exactly.

Mr. Walker: Your ruling, similar to what you have delivered now, being overruled by the House, the House takes precedence over your ruling; the House decides its own conduct and custom. I am standing by what the House has decided. I refer you to *Hansard* of the 23rd November, 1909. I do not know whether it was I who raised the point, but the point was raised on the 23rd November; the case was precisely on all fours with the present one.

Mr. Speaker: I was referring to the 14th October of last year.

Mr. Walker: But this is November, a month later.

Mr. Speaker: I do not think you will find that on all fours with the present case. The ex-Attorney General raised the point contrary to my opinion.

Mr. Walker: The Chairman said—

The hon. member will be quite in order in discussing all the items of the sub-division, "Water Supply and Sewerage, £5,668," but in discussing, say, the metropolitan waterworks and sewerage, he must deal with that on the Loan Estimates, which I assume will be brought before the Committee at a later date.

And it was Mr. Bath who moved dissent from the Speaker's ruling, and he said—

I regret, Mr. Chairman, that I must dissent from your ruling in this matter. I do so for the reason that if hon. members are debarred from discussing the administration of the Works Department there will be no other opportunity to do so during the present session, and therefore the administration of the department must go entirely without discussion.

This case is on all fours. If we cannot discuss these matters on the vote for the Legislative Council, we cannot discuss them at any other period of the session. It is impossible to discuss these questions:

anywhere else. The authorities were quoted on that occasion, and various members spoke. You ruled as you do now. Mr. Bath dissented from your ruling, and I had the mortification of seconding it. The Premier and Minister for Works spoke and a long discussion ensued, and the question was put and passed.

Mr. Speaker: May I point out to the hon. member that the cases are not parallel. As to the case in November, the hon. member is strictly correct in what he states happened. In October you will find that this very vote was before the House. The Chairman ruled exactly as the Chairman to-night ruled, and the matter did not proceed further. If you look at the 14th October, 1909, you will see that.

Mr. Walker: Yes, but I want you to observe that it is the latest decision that rules and guides. In October the point was taken but not upheld. In November, which is later on, the last decision that is to guide you, the decision of the House, that was taken in November.

Mr. Speaker: But the words are so different, as the hon. member must see.

Mr. Walker: That being the latest decision, I want to show you that the two are exactly on all fours.

The Premier: The hon. member will excuse me. I maintain on a point of order that you, having given your decision, rightly or wrongly, if a member wishes to proceed further he must now dissent from your ruling.

Mr. Speaker: That is so.

The Premier: And then he can state his case.

#### *Dissent from Speaker's ruling.*

Mr. Walker: Then you put me in the position of starting *de novo*. If Mr. Speaker happens to forget the decision given, it is permissible for me to remind him. But if I have to take the course of moving dissent from your ruling, then there is nothing else open to me. I beg to move—

*That the House dissents from Mr. Speaker's ruling.*

The Premier: There was no decision in November of last year.

Mr. Speaker: If the hon. member will pardon me for a moment, I wish to make it more clear so that members may understand me. I have given a ruling; it is the same as that given by the Chairman of Committees in October, 1909, and is on all fours with the present case. It is reported on page 1009 of Volume 1 of last year. In the case in November, which has been referred to, the dissent from the ruling of the Chairman was as follows:—

I dissent from the Chairman's ruling on the grounds that if members are not permitted to discuss the administrative work of the Minister for Works and his officers on the general discussion of the Works Estimates, no other opportunity will be afforded to hon. members.

It was debated, the House overruled, and the action of the ex-Attorney General was upheld. It having been the custom to discuss the items in general the House ruled, and it has a perfect right to guide its own business, that the general item could be discussed at that stage. There is no parallel between that case and this case. I will say no more but leave it in the hands of the House.

Mr. Walker: You simplify my task of showing there is the strictest parallel. The vote under discussion was, "Vote, Public Works and Buildings," and under that vote the administration of the Public Works Department was entered into in all its regards, from every aspect. The Chairman ruled that you could not discuss the general administrative work of the department, that is the general work, that is you could not speak generally to the subject, but a member must confine himself to the items. That was the ruling, and the meaning of it. What is the contention of this motion of ours. The question is, "Legislative Council, £1,811," and it is now held that the various items from which the Council can be considered are not legitimately in debate; that is to say, the ruling now is as before, that is, that a member cannot speak generally about the Legislative Council, he must

confine himself to the particular items. They are precisely on all fours in that respect. If you admit that it is legitimate to discuss public works administration, the Public Works Department, its officers and so forth, under the general vote, then it is legitimate to discuss generally the doings of the Legislative Council and it is legitimate to discuss generally how that Council can be improved and bettered, how it can be rendered more serviceable to the State.

Mr. Holman: Even by wiping it out.

Mr. Walker: Even by that method. All these things generally are cognate to the subject of the Legislative Council, and so the two motions are precisely on all fours. For what is claimed now is only the right to generally discuss the Legislative Council; and you cannot touch the Legislative Council without considering the Government's attitude towards it. And is it not on this very subject that we have to consider the conduct of the Government? It is not when dealing with Estimates that we do this? Let me remind you as guardian and custodian of the liberties of this House that there is not a point in history more clearly settled in the course of Parliamentary government than that upon the asking for the granting of supplies we can discuss all evils and grievances incidental to or connected with or arising out of that grant. Most of the great battles of Parliamentary government have been fought over this very question I am fighting to-night.

Mr. Speaker: I desire to point out to the hon. member that the point is that the member for Murchison is not in order in discussing the constitution or the franchise of the Legislative Council.

Mr. Walker: What are we discussing? Let me show you how relevant it is. The vote is £1,811 for the Legislative Council. Am I not in order in saying that is too much to be spent on the Legislative Council while the franchise for the Council is what it is, that we have not the best men there to serve the country and duly earn that money whilst we can only get representatives in that institution from a certain class in the com-

munity? I may say that in the interests of this taxpayer this money ought not to be spent at all; indeed, I may say that we are spending too much money on that Council, that this vote is wasted money. Am I not then entitled to show why it is wasted? I say it is wasted because we cannot get the representatives of the people's will in the Chamber whilst the franchise is what it is. And I am the more justified in discussing the franchise of that Chamber since it is upon the Government programme. It is a part of the Government policy to alter the franchise of that House, it is part of the Government programme, and we stand face to face with them. They, in the name of the Sovereign, are asking for supplies; we say, "We will not give you supplies unless you fulfil your promise to the Chamber in regard to another place." That is the method by which Parliamentary government is conducted. That promise having been made to deal with the franchise of the Legislative Council, we have a right to consider the promise of the Government in that respect when we meet with the vote upon the Estimates. And, just as in the other instance it was argued that we should have no other opportunity of discussing the question, so here, likewise, to make the parallel absolutely complete, we shall have no other chance of discussing his matter except upon this vote; and members are not going to lose any of their privileges in this respect. I will admit there are no great and burning questions between the two Houses just now; but a time may come, as it has come in England, when the two Houses will stand facing and menacing each other, and when it will be absolutely necessary to consider upon Supply the treatment that the Commons shall mete out to the Lords. The parallel is complete. Nay, more, I need only refer your mind back to your reading of history. When the time comes, as in the history of Great Britain, when the Sovereign upon his throne shall be taken to task on these Estimates, how can we stop and say that on this Vote we must halt and not do anything in the way of criticising the character of that insti-

tution? It seems to me it is completely belittling the Assembly; and it is to prevent that belittlement which we are bringing upon ourselves that I am drawing attention to this question to-night. I submit, with perhaps a little more heat in the force of my utterances than need be for the subject, I submit that the two cases are parallel. The House has already ruled that we can generally discuss that vote. We cannot undo that ruling; and, even if the House votes you right, Sir, you have acted wrongly in departing from a precedent. That wrong the House cannot right by virtue of a majority, and by this line of proceeding we are rendering the Chamber ridiculous and contemptible in the eyes of the public.

Mr. Keenan: I think, Mr. Speaker, the reference you made to the decision arrived at in this Assembly last October is not entirely accurate. If your Honour will refer to *Hansard*, page 1010 of the 1909 volume, you will find that the then leader of the Opposition asked whether the hon. member was not entitled to discuss the question on this identical vote, and the Chairman did not decide the question. What the Chairman did rule on was that the member for Murchison was out of order in a motion he submitted that the vote be reduced by a certain sum of money. By reference to page 1010 your Honour will see that an interjection was made by the then leader of the Opposition, and the reply by the Chairman was that when the necessity arose a ruling would be given on the point. No ruling was given.

Mr. Monger: Were you Attorney General then?

Mr. Keenan: No. I would like Mr. Speaker to take into consideration the question, is it not within the province of every member of the House to say that he is opposed to this expenditure for any just cause or reason whatever? And if it is within his province to oppose the expenditure of money is he not also entitled to give his reasons, unless on certain grounds of public policy or precedent those reasons be disorderly? I submit that to adopt a ruling of the restricted character Mr.

Speaker suggests here to-night would be practically to curtail the freedom of speech of hon. members. And where is it to stop? It must come to this: that on all these large departmental votes similar objections may be taken and no discussion on the general question of a departmental vote will be in order. Now the member for Kanowna is quite right in stating that at a subsequent stage of the session then in progress this question was given further consideration; that is, the question of the right to discuss the Estimates generally. And the House very reluctantly resolved to dissent from Mr. Speaker's ruling, and therefore laid down a new rule of conduct. But I feel there is no desire to chop and change the order of our debate. We have proceeded on certain lines, well demonstrated for many years, and unless there be some grave reason we should not depart from them. It would require a reason of an extraordinary character before we should impose a restriction upon our proceedings on free debate in the House, merely for the purpose of facilitating the passage of the Estimates. I am not one to sympathise in any way with any attempt to debate at undue length every item on the Estimates; but to hold that opinion is a very different thing from sharing in the views of those who think the Estimates voting supplies should be rushed through the House. There is the widest possible difference between the two views, and if one has to make a selection between the two, namely, a lengthy discussion and no discussion at all, I would prefer to vote for the lengthy discussion. If we are to depart from the right path of full, free and proper discussion, let us wander in the direction of more freedom instead of greater restriction. But I principally rose to draw Mr. Speaker's attention to the fact that there has been no such decision as your Honour fancies there has been by the Chairman of Committees in October, 1909. The point then put to the Chairman was not decided by him, and the House has never on any occasion held that if a member oppose a vote of this character he should not be

entitled to lay before the House the reason for his opposition. It would be a most dangerous precedent to commit ourselves to a decision of that character.

The Attorney General: In dealing with matters pertaining to either House it is advisable we should keep in our minds that the House exists for the transaction of public business, and not for the purpose of blocking public business. There is a very evident danger in the anxiety which some hon. members opposite display for the preservation of the utmost freedom of speech, that they may go so far in the opposite direction as to make the transaction of the business of the country in this House a matter of virtual impossibility. I also submit that whatever your ruling may have been last session, it is perfectly open to you to reverse that ruling if it should have been given in error, in order to give the House an opportunity of expressing an opinion upon it. In regard to your ruling of the 23rd November, I see from the report in *Hansard* that that ruling was dissented from, but that the matter never went to a division.

Mr. Keenan: May I call the hon. member's attention to page 1522, column 2: "Motion (dissent) put and passed."

The Attorney General: The motion was put and passed, and it is mentioned that there was dissent. Now it is perfectly clear from this record that the House never voted on the question.

Mr. Scaddan: The hon. member may not be intentionally misleading the House, but he has misread the record, which means that the motion to dissent was put and passed.

The Attorney General: It was put and passed, but there was no division upon it at all.

Mr. Scaddan: It was passed unanimously.

The Attorney General: Nominally, I admit, it must be taken as having been carried without any effective dissent; but if that question were put in the Chamber to-day, and if you adhere to your ruling of the 23rd of November, and the House has an opportunity of again voting on the matter, I think there is a very high degree of probability that in-

stead of dissenting from your ruling the House would be found endorsing it. We endeavour in these matters to follow as far as possible the procedure of the mother of Parliaments, the House of Commons, and even that House, on account of the obstructive tactics pursued by members, has found it necessary for its own protection to bring into force rules of procedure, with a view to limiting the debate, infinitely more stringent than any rules we have in this Chamber. But, if liberty of speech be threatened who are the members who have endangered liberty of speech? Are they not the members opposite who on every conceivable subject speak at inordinate length, who, though they prate of majority rule, are not content to go into the division lobby and allow a question to be decided once and for all by a vote, but who use every device, not to obtain a vote, but to prevent the obtaining of a vote? And it would be useless for any hon. member to deny that he is aware of what is the opinion of the public at large in regard to that matter. With regard to the question as to whether the hon. member was in order in dealing with the matter of the Legislative Council, its constitution and its franchise, there is I submit a clear ruling in *May* on this point. In *May*, 11th Edition, page 623, it is stated explicitly—

The administrative action of a department is open to debate, but the necessity for legislation and matters involving legislation cannot be discussed in Committee of Supply.

Now what have hon. members been discussing all this time but the necessity for legislation, and matters involving legislation? I submit, therefore, that in the rules as laid down by *May*, the recognised authority, the Chairman of Committees was fully in the right in ruling the member for Murchison out of order, and that you are equally in the right in supporting the ruling of the Chairman. I submit also that the main question decided in Committee of Supply is relevancy to the question before the committee, and if you ask yourself also whether the matter being debated by the member for Murchison is relevant to the issue, and you have that

ruling that the necessity for legislation and matters involving legislation cannot be discussed in committee of supply, there is no other course, if we are to be governed by the procedure of the House of Commons, than to rule the member for Murchison out of order.

Mr. McDowall: I want to be clear as to what the opposition to your ruling means. I remember very vividly the Chairman of Committees last year ruling that we could not discuss each department generally. At a subsequent period that ruling was reversed, as has been pointed out already. What I am concerned about is, supposing the ruling of the Speaker is upheld this evening, does it mean that we cannot discuss the various departments generally? I want to receive a clear statement from the Speaker on that point. For instance, say that when we come to the Colonial Treasurer's department, if your ruling is upheld will it be necessary to discuss the Estimates item by item, and not generally? It must be within the recollection of every member present last session that we indulged in a general discussion before we reached the items, and even last night the Minister for Mines, when we were discussing the Estimates generally, interjected, "You will all have an opportunity of discussing the departments generally under the various headings." I maintain that the right to discuss matters generally under each heading is of great consequence indeed, and therefore I contend that anything which will tend to debar us from discussing these matters will be inimical to the best interests of the country.

Mr. Scaddan: The ruling will not affect that at all.

Mr. McDowall: I have only risen to be perfectly clear on that point. The dissent is from the ruling that we cannot discuss the question of the Constitution and franchise of the Legislative Council, and that I am now assured will not affect the general discussion under the various headings.

Mr. Scaddan: I asked the Chairman, and he told me that.

Mr. McDowall: Very well, I am satisfied on that point. I do not think

that we should be debarred from discussing the whole question of the Legislative Council reform under this clause. A large proportion of the people of this State are perfectly satisfied that the Legislative Council wants reforming very considerably. In the circumstances, we deem it necessary and advisable to take every opportunity of drawing attention to the necessity for reform, and, if we cannot discuss it on this item, where on the Estimates can we discuss it? It has been pointed out that we might desire to reject the item absolutely, and that we might dissent from the cost of Parliament so far as the Legislative Council is concerned. In those circumstances, it would be a very serious blow to us if we were not to have an opportunity of discussing this question very fully. Now the Legislative Council may be a splendid institution—

Mr. Collier: It is.

Mr. McDowall: I think the hon. member spoke ironically.

Mr. Foulkes: No, he did not.

Mr. McDowall: The hon. member for Claremont says he did not, and that is sufficient guarantee to me that there is a necessity for reform. We know that legislation is constantly shirked by that body, and that no liberal measure can be got through the Legislative Council. Further, we know that the people are turning their attention to the Federal Parliament on account of the conservatism of the State Parliament.

The Attorney General: Is the hon. member in order in discussing that question?

Mr. Speaker: My ruling is the question before the House. The hon. member is a little wide of the mark.

Mr. McDowall: I am discussing your ruling, and I am giving reasons, and very sound reasons, why your ruling should not be upheld. Those reasons are the necessity for reform. However, I have said all I desire to say, and therefore I shall have pleasure in resuming my seat, and I hope that your ruling will not be upheld.

Mr. Foulkes: I would not have risen to take part in this discussion had I not before me an account of

the speech I made on the occasion when your ruling was dissented from in November last in regard to this question. I remember that there was a strong feeling on both sides of the House at the time because the Chairman of that day had ruled that we could not enter into a general discussion with regard to the various departments. I pointed out that it had been the practice for many years for members to take part in a full discussion on the administration of the various departments, and I also pointed out that if the Chairman's ruling was correct, it would be impossible for us to discuss that administration. It is quite true that you gave your ruling on that occasion in support of the ruling of the Chairman; but afterwards you stated that there was no other construction to be placed on the decision of the House than that your ruling was disagreed with, and that the old custom was adhered to. So I take it there is not the slightest doubt whatever your decision this evening with regard to this point is that we have full liberty to discuss all matters of administration, but it seems to me, with regard to this particular matter, the question of the amendment of the Constitution cannot be said to be a discussion with regard to administration. Whatever our views may be with regard to the political views of the Legislative Council, that has nothing whatever to do with administration of any particular department, and for that reason I say the two cases we have had put before us are not analogous. So long as we have full liberty to discuss the administration of the various departments, that is not sufficient to give us full power to discuss the political views of another place. Whether those views are wrong or right it has nothing to do with us. The members of another place are responsible, like ourselves, to the people who elect them. We cannot expect them to have exactly the same views as we have. They are not there to represent any one side more than any other side. I do not think the two cases are analogous. Therefore, I shall support the ruling.

Mr. Walker: In reply to the Attorney General, who seems to have taken the

strongest view in support of your ruling, may I venture to retort that the surest way of losing the liberties of this House is to let loose the Attorney General upon them. He uses that kind of irritating and unnecessarily abusive language that is calculated to call forth resistance and obstruction. It has no bearing as to the correctness or otherwise of your ruling that in England they have closure regulations. We have them here. Other provisions they have in the old country for the restrictions of debate or in order to correct abuse of debate, are within our powers. It is altogether beside the question to make an unjust reflection on this Assembly such as was made by the Attorney General. He has not answered the member for Kalgoorlie, who points out that the two cases, that of to-night and the decision of the 23rd November of last year, are on all-fours. The question in November was the discussion of a department, whether we should go into the matter generally and adduce all matters cogent, or whether we should go into the items; and that is the discussion now, for it was the point made by the Chairman of Committees in his ruling that we could not discuss outside the items comprised in the vote. When I first worded my objection to the Chairman's ruling it was in that form; but to make it more general in deference to the Chairman's wishes, I put it in the language in which it is now couched on the paper before Mr. Speaker. I want to point out the ingenuousness of the Attorney General in dealing with the quotation from *May*. He quoted the following:—

The administrative action of a department is open to debate.

And he went on further—

But the necessity for legislation and matters involving legislation cannot be discussed in Committee of Supply.

If he had been, may I say, frank to the Chamber, he would have told us that this was only a limitation amongst a number of limitations to a discussion either on general matter or upon items. For instance. *May* goes on—

Nor can a member discuss a grant on which the Committee have resolved, nor



a grant not yet brought forward. So also when a proposal has been made to omit or reduce an item, debate is restricted to that item, and reference is not permitted to any other item in the grant. Reply in Committee to statements made in the House on the Estimates is not permitted.

And so on. There are a number of these objections to spontaneous discussion altogether remote from the subject being sprung on the Committee. These restrictions are quite clear and commonsense, and it does not require anybody to point them out. But there is a statement in *May* where it is distinctly declared that all matters that are relevant to the vote can be discussed—

In accordance with general usage the main principle which governs debate in the Committee of Supply is relevancy—

The Attorney General: I quoted that.

Mr. Walker: The hon. member did not quote it.

The Attorney General: I mentioned it, anyhow.

Mr. Walker: The hon. member did not draw attention to it.

The Premier: They are not relevant, that is the trouble.

Mr. Walker: I have to show that. If I cannot, my case fails.

In accordance with general usage the main principle which governs debate in Committee of Supply is relevancy to the matter which the question proposed from the Chair submits to the Committee.

If that be our rule of guidance, then I submit the position placed by the member for Kalgoorlie cannot be answered. It is relevant to give reasons for voting against that item, and the reasons may be that the Council is not constituted properly. In fact, whatever reasons are good, reasons which can be born rationally in man's brain, that are not altogether irrelevant to it, that have connection with it are justified, can be used and should be used. Now, it is perfectly relevant to the subject of the Legislative Council, relevant strictly, to discuss as to how it is constituted, whether it is a liberal House

or is based upon a liberal or narrow franchise. That is perfectly cogent. We are voting for the continuance of a House which we say ought to be demolished, for which there is no longer necessity; and it is perfectly rational to say that that House, constituted as it is, ought not to have supplies granted to it. That is cogent. And it is perfectly relevant to even deal with legislation connected with this matter, because it is in itself a legislative body, and a part of the legislative machinery. Therefore the restriction applied in *May* to general departments does not apply to a branch of the Legislature. We cannot help but deal with legislative measures in connection with it, as it is a legislative body; and since in the Governor's Speech there is a paragraph directly bearing upon the matter, and it has been part of the policy of the Government—I am putting it is strongly as I can—to bring in legislation affecting the constitution, character, and franchise of that House, and the Government have failed to do it, when we reach the financial part of the Budget we ask why they have not done it. Is that not cogent; is it not relevant? How can it be ruled out of order? And if we ask them why they have not done it and go further and say it ought to have been done, and that they ought to go further than even they propose, how does it become out of order? All of it is relevant. Whatever naturally arises out of the subject or by analogy serves to illustrate the subject, is relevant to the question and is before the House. It is only plain, ordinary logic; and to depart from it would be to turn this House into a Chamber of irrational men; for discussion would be absolutely impossible as to the course taken by the Government affecting any department if we were compelled to confine ourselves to each individual item as it arises. More than assisting the Government, more than mere dissent from your ruling is involved in this question. The whole question of our liberty to criticise not this Government but all Governments that may come after is involved in this. It is too dear a liberty to sacrifice lightly. It has been won in the blood of our ancestors. It has been won at the point of the sword, in

defiance of kings and despite standing armies.

The Attorney General: And will be lost by excess of jaw.

Mr. Walker: I did not catch that.

The Attorney General: You said that it had been won at the point of the sword, and I say it will be lost by excess of talking.

Mr. Walker: What wit! Who degrades Parliamentary institutions more than the Attorney General? Who sets himself to overthrow all the established customs of ages more than the hon. member? Excess of talking! Excess of hypocrisy, excess of humbug, excess of insincerity, excess of place-hunting; that is what is likely to kill the institutions of this country. Give me straightforward, honest conduct; and even if that conduct be erroneous, I can sympathise with it, can give it the hand of friendship; but the conduct that is shaped for immediate victory at the expense of truth, and to the abuses of one's opponents unjustly, that receives my scorn whenever it is exercised.

The Attorney General: You can apply your own words very aptly to yourself.

Mr. Walker: It is thus ever. One is interrupted and sometimes one is goaded into saying things one is sorry for afterwards. I put it to you Mr. Speaker that the House has already decided this point, and that was made clear by the member for Kalgoorlie. The Attorney General did not give an answer on that point. The vote of dissent was put and passed, but no division was taken. How much more honourably did you act on that occasion? You recognised the position and you manfully expressed it to this House. You said, "There is no other construction to be placed on the decision of the House than that my ruling is disagreed with." At that we stand. That was the decision of the House and the decision you recognised. To-night you have departed from it. In that you committed an error due doubtless to forgetfulness. But a part of the House to-night is seeking to undo the decision and an hon. member who voted then for that decision, and who spoke in favour of it, is now twisting and going to the other side.

What kind of a House have we got that seeks by a majority of one, by the mustering up of numbers, to undo what the House has done. The majority there to-night may say this is right, and the majority here to-morrow may say that the same thing is wrong. It is unseemly, it is unbecoming, and it is a degradation of the Chamber, and a decision having been arrived at there should be no rescission except by a specific motion. You cannot undo that question except by specific motion. The House has decided one way and you are bound by that decision. If your decision were wrong we should have this unseemly state of affairs that you ruled wrongly, but the House to save you from pain said you ruled correctly, and so we should be playing the game of little children, soothing what are not your wounded feelings, because you are not wounded in carrying out the rules of the House. You need not a vote of the majority to console you and soothe you when you have gone a little out of the way. The facts are plain and the logic is clear. These facts cannot be altered and a vote of the majority will not make the truth the untruth or the untruth the truth, but it will show to what depths we have fallen for political party ends.

Mr. Speaker: Before putting the question I desire to say that the ex-Attorney General was slightly in error in saying that I did not properly quote the case of October last year. If he looks at page 1009 of *Hansard* of last year he will find that the Chairman ruled "The hon. member could not move that the vote be struck out and the matter he desired to refer to should have been discussed earlier on the general debate." I am pointing out what the Chairman ruled in the first instance. I want to state with all due respect to hon. members who have expressed their opinions, and to the legal members also, that I differ from them. The cases are not parallel and I am satisfied on that point. Of course I am giving expression to my own mind and feelings. The question to-night is as to the constitution and the franchise of the Legislative Council, matters which are not relevant to the point at issue. What other

discussion may take place has nothing to do with this subject of to-night. The hon. member's motion for dissent is against the member for Murehison having been ruled out of order, and on that point I uphold the Chairman's ruling. I assume that the House has control of its own business, and although on a former occasion, as pointed out by the member for Kanowna, my ruling was overruled by the House, which had a perfect right to do so, to-night, following upon the opinion I hold—and I have the authority of *May*, and as properly pointed out by the member for Kanowna, that in the past if I have found that I was wrong, I have been ready to admit it—I consider the cases are not parallel, and I uphold the Chairman's ruling.

Question (dissent) put and a division taken with the following result:—

Ayes	..	..	17
Noes	..	..	21

Majority against .. 4

#### AYES.

Mr. Bolton	Mr. O'Loughlen
Mr. Collier	Mr. Scaddan
Mr. Gill	Mr. Swan
Mr. Gourley	Mr. Troy
Mr. Heltmann	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Underwood
Mr. McDowall	(Teller).

#### NOES.

Mr. Brown	Mr. Mitchell
Mr. Butcher	Mr. Monger
Mr. Cowcher	Sir N. J. Moore
Mr. Daglish	Mr. S. F. Moore
Mr. Davies	Mr. Murphy
Mr. Foulkes	Mr. Nanson
Mr. Gregory	Mr. Osborn
Mr. Hardwick	Mr. Plesse
Mr. Harper	Mr. F. Wilson
Mr. Jacoby	Mr. Gordon
Mr. Layman	(Teller).

Question thus negatived.

#### Committee Resumed.

Mr. HOLMAN: According to the decision of the House it would not be possible to discuss the constitution, or questions relating to the franchise of the Legislative Council. Members, however, would be in order in referring to the period of time

the Legislative Council worked, and also the uselessness of that body to the State, in order to show that the expenditure of this large amount of money on the Legislative Council was not warranted. On considering the duties performed by the Legislative Council the Committee would agree that this expenditure was large indeed. We could easily save expense in regard to that Chamber, and surely that was worthy of consideration. The Clerks and messengers of the Council had not one-tenth the amount of work to perform which was carried out by the officers of the Assembly. During this session the Legislative Council had adjourned for weeks at a time, while, when they did sit, it was only for half an hour. Yet the expenditure was going on all the time. And the Council had a Clerk to look after the business that was not done, while our Clerks were over-burdened with work; and that was the House vested with power to undo anything we might do. The Council did not sit during the first five months of a six months' session, while the business which had taken the Legislative Assembly five or six months to consider was rushed through the Legislative Council in the last few weeks of the session. The Council had a faculty for passing weeks' of work in the course of an hour or two. Surely as a house of review it should give more consideration to important business.

Mr. Osborn: Members of that place cannot accuse us of hasty legislation.

Mr. HOLMAN: The members of another place were useless as a check on a Government assisted by supporters like the member for Roebourne, who would acquiesce in anything the Government did. In the closing hours of the session the Government moved the suspension of the Standing Orders and passed most important legislation through wholesale without any consideration, and those matters were then rushed through the Legislative Council—

The CHAIRMAN: The hon. member would not be in order in pursuing that line of argument.

Mr. HOLMAN: Surely an hon. member would be permitted to reply to an interjection and make himself clear. If

the question of hasty legislation could not be dealt with on this vote it was of no use discussing the vote at all. All the proceedings of the Legislative Council consisted either of hasty legislation or of blocking democratic measures. There was, under this vote, an amount for select committees. A select committee from the Legislative Council had, last session, dealt with the Fire Brigades Bill, a measure of the utmost importance. He had gone through the whole of the evidence taken before the committee, and he would defy any practical man to show that the recommendations of the committee were of any value to the State. No sooner had those recommendations been passed into law than practically the whole of the bodies concerned had objected to what had been done. This went to show that even in the smallest matters of detail the people were decidedly against the Legislative Council. The Council should be reformed or wiped out altogether.

The CHAIRMAN: It was to be hoped the hon. member would not pursue that line of argument further.

Mr. HOLMAN: Would the moving for the reduction of an item prevent discussion?

The CHAIRMAN: The hon. member would be in order in moving to reduce any of the items on the vote.

Mr. HOLMAN: But in regard to the total, would it be in order to move to reduce that? If he moved to reduce the total vote by £1,000 would it be possible, after the amendment was dealt with, to go back on the items?

The CHAIRMAN: Decidedly not.

Mr. HOLMAN: It had often been done. If the whole of the items were passed as printed would it be possible to move to decrease the total vote?

Mr. Jacoby: No.

Mr. Scaddan: You are not the Chairman.

Mr. HOLMAN: If the items were dealt with seriatim and passed, would it be in order then to move to reduce the total?

The CHAIRMAN: The hon. member would then be in order in moving to reduce the total.

Mr. Jacoby: But if the items have been passed, the total must stand.

The CHAIRMAN: The items would not have been passed; they would have been discussed, but not passed.

Mr. Jacoby: Would we be in order in discussing the items after passing the whole amount?

The CHAIRMAN: No; once the vote was passed the items could not be discussed.

Mr. Hudson: But if an item was reduced we would have to deal with the total as a reduced vote.

The CHAIRMAN: Hon. members who were asking these questions knew as well as he did, that if any item in the vote were reduced the total vote would be correspondingly reduced.

Mr. HOLMAN: If an amendment to reduce the first item were carried, would that item be finished with?

The CHAIRMAN: If no items were reduced the vote to go to the Committee would be as printed. Any hon. member would then be in order in moving to reduce the vote. He hoped members would not discuss this question any longer.

Mr. JACOBY: Supposing there were five items of £100 apiece, and each item was passed, surely it would not then be open to members to move to reduce the £500? The practice had been that after each and every item was passed it was not in order to move to reduce the total.

The CHAIRMAN: Items were not finally passed until the whole vote was passed. Frequently an item was discussed and no amendment moved; when the discussion on that item ceased members passed to the next item. If an amendment was moved it was put, and then the Committee went on to the next item, and subsequently the total vote was the question before the Chair.

Mr. HUDSON: Would it be in order to move to reduce an item from £600 to £500?

The CHAIRMAN: Certainly.

Mr. HOLMAN: Having entered his protest against the vote, he would do nothing more. If the people had the opportunity to express their opinion in regard to the Legislative Council they

would do so in no uncertain voice, and if the people had the power to alter the position, as it was now, members would not need to be discussing that item.

Mr. HUDSON: Why was the salary of the President fixed at £600, and why was his position exaggerated above that of the Chairman of Committees?

Mr. Jacoby: It is provided by statute.

Mr. HUDSON: If it was a statutory vote, why were the Committee dealing with it at all? In his opinion the item was paid out of general revenue. He wanted to know what amount had been expended on the President during the last three years. If the Treasurer had any figures it was to be hoped he would be prepared to place them before the Committee.

The Attorney General: Under Section 35 of the Constitution Act the salary of the President has to be the same as the salary of the Speaker.

Mr. HUDSON: Supposing the President had been overworked?

The Attorney General: It does not matter, we cannot go beyond the law by a vote of the House.

Mr. HUDSON: The Attorney General had over-ridden the law on many occasions, and he had failed to administer the law in regard to betting and many other matters.

The CHAIRMAN: The hon. member would be more in order in discussing that under the Attorney General's department.

Mr. HUDSON: Was a salary of £600 sufficient to support the dignity which the President put on? The item should be reduced by £100.

The ATTORNEY GENERAL: Section 35 of the Constitution Act provided that the salary of the President should be at least equal to the salary of the Speaker, and that the salaries and allowances of officers of the Legislative Council should be the same as the salaries of corresponding officers of the Legislative Assembly. The Chairman had ruled, and that ruling had been supported by the Speaker and upheld by the House, that the necessity for legis-

lation and matters involving legislation could not be discussed in Committee of Supply. Any alteration of the salary of the President of the Legislative Council was a matter involving legislation.

Mr. HUDSON: Was it to be understood from the Attorney General that the President's salary must be the same as that of the Speaker?

The Attorney General: If we reduce one salary, we must reduce the other.

Mr. HUDSON: When the question of the salary of the Speaker was reached the Committee would have already passed the item for the President's salary, and then it would be impossible to reduce the Speaker's salary or the President's salary.

Mr. UNDERWOOD: The President had been re-elected during the current year as a member of the Council, and there must have been some time when he was not President of the Council and not even a member of the Council; yet the salary of £600 appeared on the Estimates just the same, although the salary of the Chairman of Committees was reduced by £133 owing to it being for only portion of the year. Perhaps the Attorney General could explain.

Mr. Jacoby: It is provided for in the Constitution.

Vote put and passed.

Vote, *Legislative Assembly*, £3,209:

Item, Chief Messenger and Office Clerk, £225.

Mr. SCADDAN: Why was it that the chief messenger was now styled "Chief Messenger and Office Clerk" and the salary increased from £200 to £225? He did not object to the increased amount, but desired to know the reason for making the chief messenger an office clerk as well. Were the Clerk and Clerk Assistant overworked? If so, why did not the Sergeant-at-Arms render assistance, as he had little to do but shift the Mace on and off the Table. The chief messenger had quite sufficient to do without attending to office work.

The PREMIER: The office of chief messenger carried with it a considerable amount of clerical work, and it was at

the request of the chief messenger that the words "office clerk" had been added to the designation. That officer had written asking for an advance in salary, and suggesting the alteration in the designation of his position, and that request had been acceded to.

The CHAIRMAN: If hon. members desired to deal with preceding items, now was their opportunity before the discussion on Item 6 was continued.

Mr. UNDERWOOD: Items 3 and 4 should be discussed. In his opinion all the clerical work could be done by the Clerk and Clerk Assistant. In taking work from those two officers who had not too much to do, and putting it on another who had all the work of the House to do, was not a fair division of labour or of pay. They did not require two brilliant men who were paid salaries almost as high as heads of departments to do the little office work connected with the Chamber. The chief messenger did practically all the work, and the chief work of the clerks was to look up points of order and instruct the chief messenger to do the work. In fact the chief messenger was the drudge of the House, and was overworked. If the clerks took it that their position was only to instruct others to do the work they should get someone else to instruct, because the chief messenger had quite enough work to do as chief messenger without having additional work. The work of the library was also done by the chief messenger without drawing the salary provided. In fact the only thing the chief messenger did not do was to draw the salary for the work he did, and all the other officers in both Houses did was to draw the money.

Mr. SCADDAN: One could not agree with the member for Pilbara in reference to the work of the clerks. Persons holding responsible positions should not be overworked, otherwise mistakes might happen that would cost the country a great deal more than the salaries paid. Did the fact that we were making the chief messenger office clerk mean putting additional work on him?

The Premier: No.

Mr. SCADDAN: If additional assistance was required, the services of the Sergeant-at-Arms should be availed of during the session, because the chief messenger has already sufficient to do, and had all the work of the library on his hands. The messengers were overworked, absolutely underpaid and sweated. It was unfair to keep them working all hours for the pay they were getting. No doubt the clerks were busy during the session and worked long hours, but in the recess they had very little to do and could get away when they liked. On the other hand the messengers could not.

Mr. Heitmann: It was understood we were discussing "Item 3, Clerk of Assembly."

The CHAIRMAN: Item 6 was under discussion. The Committee were asked if any member wished to discuss any item prior to Item 6 before the member for Pilbara spoke, but no member rose, and the member for Pilbara was called upon to resume his remarks.

Mr. Scaddan: That is correct.

Mr. COLLIER: The member for Pilbara observed he preferred to discuss the matter on Item 3, and so proceeded to discuss the matter, and no other item had since been called for.

The CHAIRMAN: The member for Pilbara said the point could be discussed on Items 3 and 4, but proceeded to discuss Item 6. The member for Boulder was only in order in discussing Item 6.

Mr. COLLIER: Nearly all the remarks of the member for Pilbara were directed to Item 3.

The CHAIRMAN: The hon. member is only in order in discussing Item 6.

Mr. Collier: It is absolutely wrong.

The CHAIRMAN: The hon. member must withdraw that remark. [A pause.] Does the hon. member withdraw?

Mr. Collier: Yes.

Mr. TROY: The Chairman was under a misapprehension.

The CHAIRMAN: The hon. member is not in order in discussing any item other than Item 6.

Mr. TROY: The member for Pilbara was distinctly heard to say——

The CHAIRMAN: Order! The hon. member is not in order in pursuing that argument.

Mr. TROY: Being compelled to discuss Item 6 it would be necessary to include remarks on other items. There was no desire to discuss officers who had no right of reply; but unfortunately, in discussing these estimates, reference had to be made to the capacity or ability of certain officers.

Mr. Heitman: Did the Chairman rule that the member for Pilbara was discussing Item 6.

The CHAIRMAN: Yes. If the hon. member had been in his place when the question was raised he would have understood that when the leader of the Opposition spoke that hon. member was asked if he was discussing Item 6, and the hon. member said that he was only making reference to it. The discussion was allowed to proceed but in order to remove any doubt from the minds of members, it was pointed out, when the member for Pilbara spoke, that if any member desired to discuss a item between 1 and 6 it would be necessary to speak before the member for Pilbara spoke. As no hon. member rose, the member for Pilbara proceeded, though that hon. member pointed out he could speak on Items 3 and 4.

Mr. A. A. Wilson: The hon. member said he preferred to speak on Items 3 and 4, and did so.

The CHAIRMAN: The member for Pilbara discussed Items 3 and 4 in comparison with Item 6, but the burden of his argument was the overwork of the officer dealt with in Item 6. Hon. members would not, he hoped, go back on the items.

Mr. TROY: It was pleasing the chief messenger was to receive an advance in salary. It was thoroughly deserved. The officer was most courteous and obliging, and was always attentive to his duties, and did work for which he was not paid, more particularly in the library. In fact the officer did the major portion of the library work. It was to be hoped any remark made by hon. members would not be to his detriment, or be made the occasion of tyranny towards him. If the

additional title lent more dignity to the position, by all means let the officer have it. There were officers in the House, who, while they would refuse a living wage to people outside, did work outside the House for which they were paid. They did this work outside without the consent of the House. If they did obtain consent, from whom was it obtained?

Mr. Gordon: Are you referring to the typist?

Mr. TROY: There was no reference to the typist. That officer was very useful indeed and enabled him (Mr. Troy) to get through a good deal of work on behalf of his constituents. There should be a general understanding that if officers were paid for certain work they should do that work.

Vote put and passed.

Vote—*Joint Houses of Parliament*, £7,049:

Item. Gardener, £150.

Mr. ANGWIN: Did the Premier anticipate that a gardener at £150 would be capable of looking after the howling green?

The PREMIER: As far as he knew about a bowling green he would say that one gardener would be quite sufficient, at any rate, for the first few years of its existence or until it became fit for use. At the present time there was not much to do on the bowling green. When it was in first class order the gardener might require assistance.

Mr. ANGWIN: The only conclusion that could be arrived at was the Premier knew very little about the upkeep of bowling greens. As a matter of fact, it would take more than one gardener to look after the gardens without the bowling greens, and it would be necessary to give the latter close attention. He entered his protest against having a bowling green in connection with Parliament House. If hon. members wanted to play bowls there were other bowling greens, and surely those should be sufficient. The Premier should issue a note of warning to the House Committee that it was not intended to waste any money in providing luxuries of this description in con-

nection with Parliament House. If hon. members wished to play bowls they should join clubs. Members spent sufficient time outside the House without the Government provided an added attraction in the shape of a bowling green. Hon. members were sent to Parliament to carry out their duties, not to play bowls. This particular bowling green was one of the largest in the metropolitan area, and to keep it in order would take double the amount which was provided on the Estimates.

Mr. Bolton: Not for that alone.

Mr. ANGWIN: Yes.

Mr. Bolton: I deny that.

Mr. SCADDAN: The member for East Fremantle might urge that members should do away with the upholstering on their chairs because they did not have similar upholstering in their own homes, and the billiard room should be closed.

Mr. Angwin: I would sell the billiard table.

Mr. SCADDAN: We might also do away with the bar because the member for East Fremantle was a teetotaller. This showed the narrow groove in which the hon. member worked. He (Mr. Scaddan) did not take intoxicants, but he was not narrow enough in his views to object to others indulging in them. The same thing applied to bowling. With regard to the building itself, the exterior was an absolute disgrace. Certainly the grounds had been very considerably improved of late, and the attitude of the member for East Fremantle, if adopted, would only result in the belittling of Parliament. If members took notice of such narrow views as those of the members for East Fremantle and Claremont we should certainly be belittling Parliament. It was doubtful whether the member for East Fremantle had a proper idea or proportion. The cost of the upkeep of the bowling green would be very little, and it was to be hoped that the Premier and the House Committee would not take any notice of the remarks of the member for East Fremantle and that they would continue to do the good work which had already been done in beautifying the surroundings of the House. It was to be

hoped also steps would be taken to improve the appearance of the exterior of the building, which was absolutely disgraceful.

Mr. ANGWIN: The space between Hay-street and Parliament House had been considerably improved, and the cost of maintaining it would be nothing compared with the cost of maintaining the bowling green. The cost of getting the bowling green into proper order would be considerable. He contended that the House Committee was going beyond necessities in the work they were doing.

Mr. HEITMANN: Hon. members would agree that the gardener was doing really good work; that officer had brought the grounds into something like a presentable appearance, and to be able to do that it was necessary that the gardener should have devoted a good many years to his trade. In these circumstances a salary of £150 was altogether too small for a head gardener with two or three men under his control. The state of the grounds at the present time was a credit to the gardener. It was to be hoped those in charge of the finances would take into consideration the question of raising the gardener's salary. The least that should be paid him was 13s. 4d. a day.

Mr. UNDERWOOD: There could be no doubt that the gardener was doing good work. In his (Mr. Underwood's) opinion the gardener was underpaid. He was convinced that to be a good gardener a man required as much training, as much intelligence, and more energy than was necessary in a good Clerk of Parliament; and when we considered that the Clerk of Parliament received £600 a year it would be seen that £150 was not an adequate remuneration for the gardener. It had been decided by the House Committee that a cottage should be provided for the gardener, rent free. Even £150 and house rent was scarcely sufficient for a man of the gardener's stamp. He did not know why the proposal to improve the gardener's remuneration had not earlier been considered by the House Committee.

Mr. Scaddan: Because they are a body of sweaters



Mr. UNDERWOOD: It was not so much that; it was rather that they did not understand men. There was an idea among superior people that if a man did not complain about his wages he was not worth any more. As a matter of fact some worthless men were continually asking for more pay, while there were many good men who did not ask for an increase, except by way of demand. A workman of the capacity of the gardener would be one who, if he put in a request and that request was refused, would leave the job. The fact that the gardener had never made a request was probably the reason why his case had been overlooked by the House Committee. It was understood the gardener had made a verbal request, but, apparently, he had given more attention to his work than to the best methods of securing higher pay.

Mr. O'Loughlen: That does not apply to ourselves.

Mr. UNDERWOOD: I have put in my application but have not received satisfaction.

Mr. A. A. Wilson: But you will not leave.

Mr. UNDERWOOD: It was to be hoped the question of the gardener and his wages would receive the attention of the House Committee, and that when the House Committee made a recommendation to the effect that the gardener should receive an increase, the Treasurer would endorse that recommendation.

Item, Cleaners, and kitchen and dining room wages.

Mr. SCADDAN: It was understood the dining room attendants had applied to the House Committee for increased wages, and that those applications had not been favourably considered. If this was so the House Committee were nothing short of a body of sweaters. This was a matter that ought to receive attention. The caterer, Mr. Kitchener, received £150 a year by way of a subsidy for carrying on the bar and dining room for the convenience of members. The caterer had no work to do beyond that of supervising, and was provided with a staff, whose wages were paid out of the item under discussion. Over and above the £150 subsidy the caterer

was provided with all necessary utensils, including linen, finding nothing except eatables and drinkables, for which he charged at a rate fixed by the House Committee. Admittedly, during recess the position could not be very remunerative, and probably, taken all the year round, the prospects of the caterer were not such as would justify him in expecting to become a millionaire. That did not get away from the fact that the men employed in the dining room were underpaid; some of them worked from 12 to 16 hours in one shift and were not paid for overtime. On the days on which the House was not sitting those attendants were told to stand off. They worked unreasonably long hours while the House sat, and were told to stand off when the House did not sit.

Mr. Butler: Does not their pay go on all the same?

Mr. SCADDAN: They were paid so much per week, but they got no overtime, no matter how long their hours. Over and above their pay, which was little enough, they were provided with one meal per day, but what was the use of one meal per day to a man who perhaps was living at Cottesloe and was told to stand off on Saturday and Sunday? On paper it looked as if these men were being paid fairly liberally, but in fact they were absolutely sweated, and it was a disgrace to Parliament that it should be so. They were kept there early and late, and surely Parliament and the country could pay them a reasonable rate.

The Premier: What do you call a reasonable rate?

Mr. SCADDAN: A reasonable rate was a rate that prevailed anywhere else. It was only when the House was sitting that the men were in attendance and were able to get a meal. Now that the matter had been brought before members it was out of the hands of the House Committee, and it devolved upon members to see that the waiters were given a fair rate of pay.

(Mr. Brown took the Chair.)

Mr. TAYLOR: The member for Ivanhoe had accused the House Committee of being nothing more nor less than sweaters, and in support of that statement had alleged the payment of a low rate of wages

to the waiters in the dining room. As a member of the House Committee during the last three or four years he desired to exonerate any Government from having anything to do with the regulation of the wages; that was entirely a matter controlled by the House Committee. When he first became a member of the Committee the waiters were receiving 6s. per day and no overtime was paid. In consideration of the long hours worked by the men when the House was sitting late, the House Committee raised the wages to 7s. per day and the head waiter was advanced from 7s. to 10s. per day. In addition the men were given 12 meals per week, and were placed on the same footing as regards hours as had been fixed by the Arbitration Court for men following the same occupation in the city. They worked 56 hours per week and were paid for overtime at the rate of 1s. per hour. It was the desire of the House Committee that these men should not work more than 56 hours per week, and when it was found that they were working very long hours and had already got in their time before the end of the week, other men were taken on.

Mr. Scaddan: Rather than pay 1s. per hour overtime.

Mr. TAYLOR: It had not been a question of the 1s. per hour overtime; the principle was not to overwork people. In addition to the 7s. and two meals per day, and overtime at the rate of 1s. per hour, the waiters were paid during recess £1 per week as a retaining fee; and by virtue of their position in Parliament House their services were in great demand outside. To his mind they were better paid to-day than any other men in the State who were following a similar calling, and it was questionable whether there were any other men better paid than they were, taking all things into consideration. If it was desired that these waiters should be worked eight hours a day at a shilling an hour on the principle of no work no pay and no meals and no pound a week during recess, it would be absurd. It would give them worse conditions than those they now had. True, the waiters had applied for an increase of wages, but the House Committee did not feel dis-

posed to grant the request because it was thought the waiters were given a fair and reasonable thing. In justice to representatives of the Legislative Council on the House Committee, they were always anxious to give what was considered fair when any claims were put before them. The House Committee dealt with these men in a fair and liberal manner. In 1909 during August three waiters received £9 9s. each; in September the wages paid were £9 9s. 6d., £9 8s. 9d., and £10 2s. 6d.; and in October £9 2s. in the three cases; while from the 22nd November to the 18th December of the same year, when the House sat four days a week, the overtime earned by these waiters was £3 19s. 6d., £3 14s. 6d., and £3 5s. 6d. respectively. During November of this year each waiter received £10 0s. 9d., £10 5s. 9d., and £10 12s. It was unfortunate the House Committee could not regulate the hours better owing to the indefiniteness of the hours the House would sit. The committee desired to avoid employing these men overtime, and thought it preferable to bring in other waiters. Members should disabuse their minds of the idea that the House Committee was a sweating concern.

Mr. Horan: It is very near it according to your own figures.

Mr. TAYLOR: In addition to the wages mentioned each waiter received one pound a week during recess.

Mr. SCADDAN: These waiters received 7s. a day, and two meals a day; and if they worked long hours and cut out their 56 hours they were booked off, otherwise the House Committee would have to pay the awful rate of one shilling an hour overtime.

Mr. Collier: The lowest rate for overtime in the State.

Mr. SCADDAN: The justification put forward by the House Committee was that the scale was in accordance with an award of the Arbitration Court, but Parliament was higher than the Arbitration Court. Were we to set an example of keeping men here from 8 o'clock in the morning until 8 o'clock the next night, as had happened, and then to book the men off to save a miserable shilling an hour? We were told they got two meals a day

if they liked to tramp from their homes to the House to get those meals. The House Committee was not generous enough to say, "You have worked your hours, you need not come back for three days, and here is your meal money." It was an absolute disgrace that these men, who were married men, should earn only £9 9s. for the month. It was astounding that the member for Mt. Margaret should leave the Chair to give the House information of that kind. When a man had done eight hours' work in one day, every hour he worked over that period he should be paid for it at overtime rate. The whole question boiled itself down to whether the House Committee was generous in view of the fact that they gave these men £1 per week during the recess as a retainer. These men should get at least 10s. a day, and if they worked overtime they should be paid for it.

Mr. Horan: Let Parliament be an ideal employer of labour.

Mr. SCADDAN: Exactly.

Vote put and passed.

Vote—*Premier's Office*, £820—agreed to.

Progress reported.

*House adjourned at 10.55 p.m.*

Legislative Assembly,

*Friday, 2nd December, 1910.*

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The SPEAKER took the Chair at 10.30 a.m., and read prayers.

## PAPERS PRESENTED.

**By the Premier: Report of the Board of Management of Femantle Public Hospital for the year ended 30th June, 1910.**

## ANNUAL ESTIMATES, 1910-11

*In Committee of Supply*

Resumed from the previous day; Mr. Taylor in the Chair.

Treasury Department and Administrative Branches (Hon. Frank Wilson, Treasurer).

**Vote—Treasury, £8,528:**

Item, Examiner and Public Debt Accountant, £450.

**Mr. BOLTON:** The item showed an increase of £5 on the salary. Was this in accordance with the Public Service Commissioner's classification, or was there any other special reason for it? It seemed that those officers in receipt of good salaries were the only ones set down for increases, while others equally deserving, but in receipt of lower salaries, had been passed over.

The PREMIER : All the advances shown were in accordance with the Public Service Commissioner's classification. They had been made on the recommendation of the heads of the departments and the Public Service Commissioner, bringing the officers a step nearer to the maximum of their classifications. This particular officer was highly capable and he (the Premier) was only sorry we could not give him more.

Vote put and passed.

Vote—Audit, £7,806—agreed to.

Vote — *Compassionate Allowances*,  
£770:

Mr. ANGWIN: Under this heading he desired to draw the attention of the Treasurer to allowance made when insurance companies failed to pay compensation in regard to cases for which they had received premiums. In respect of their employees the Government paid insurance premiums under the Workers' Compensation Act. With so large a number of men employed the Government should form an insurance fund of their own. However, the point was that he had known instances of insurance companies collecting the premiums and subsequently refusing to pay the compensation to which the victim of an accident was entitled, whereupon, under the vote "Compensation allowances" the Government stepped