

samples. Clause 23 I have already referred to, which protects the vendor who sells *bona fide* an article which he believes to be good, and which he purchased as good.

HON. G. RANDELL: Can he recover damages outside the State?

THE COLONIAL SECRETARY: I do not think he can; but it will be advisable and necessary, and I think not difficult, for the vendors of fertilisers inside the State to obtain with the fertilisers warranties as to their composition and fertilising strength. The remaining clauses are, I think, mostly machinery clauses, with the usual clause at the end giving power to the Governor to make regulations for certain purposes.

HON. J. W. HACKETT: Why add all those words at the end of Subclause 2 of Clause 30, which are all surplusage by the Interpretation Act?

THE COLONIAL SECRETARY: They are not very necessary, but they seem to have a mollifying effect. I think their addition is a matter of policy with the Parliamentary Draftsman. Members are pleased when they see in bold print that they are to have an opportunity of revising such regulations.

HON. J. W. HACKETT: Why not insert the words in all Bills?

THE COLONIAL SECRETARY: The hon. member has probably noticed that since attention was called to the matter in this House the words have appeared in all Bills. I think the Bill is a good one. It is designed and brought down for the benefit of one of our most important industries, and will doubtless meet with a cordial reception from the representatives of that industry. I move the second reading.

HON. E. McLARTY (South-West): I feel sure that for the want of such a Bill many frauds have been perpetrated in the past. Producers sometimes purchase fertilisers of very little subsequent use; and a man ought to know, when he goes to the expense of purchasing fertilisers, which are certainly very necessary in Australia, that he is getting what he pays for. I think the value of the Bill will largely depend on its administration, and I hope that when passed it will not become a dead letter, but that its provisions will be most strictly enforced.

Question put and passed.

Bill read a second time.

PICTURE OF THE KING.

THE PRESIDENT (Hon. Sir George Shenton): I have much pleasure in informing hon. members that I have received a letter from the Agent General, stating that the picture of His Majesty the King has been forwarded to him by the Colonial Office and shipped to Western Australia. I hope to receive it in the course of the present month.

ADJOURNMENT.

The House adjourned at 6.16 o'clock, until the next Tuesday.

Legislative Assembly.

Wednesday, 9th September, 1903.

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THE SPEAKER took the Chair at 7.30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR MINES: Royal Commission on Public Service, Seventh Progress Report. Fremantle Harbour Trust, Regulations. Perth Public Hospital, Report to 30th June, 1903.

Ordered, to lie on the table.

QUESTION—EX-DETECTIVE EGGLESTONE, COMPENSATION.

MR. BATH asked the Attorney General: 1, Whether compensation was paid to ex-Detective Egglestone. 2, If so, what amount. 3, Why.

THE MINISTER FOR MINES, for the Attorney General, replied: 1, No. 2 and 3, Answered by No. 1.

QUESTION—MIDLAND RAILWAY LANDS TRANSFERRED.

MR. HARPER asked the Minister for Lands: Whether he will lay upon the table of the House a map showing the lands originally transferred to the Midland Railway Company, and showing the lands since transferred by that company to other persons, giving the names of each transferee holding an area of 1,000 acres or more of such lands.

THE MINISTER FOR LANDS replied: Yes. The map will be prepared.

QUESTION—JETTY FOR NORTH-WEST, POINT SAMPSON.

MR. PIGOTT asked the Minister for Works: Whether he will state the specific professional advice contained in the file now on the table of the House, upon which he felt justified in instructing the Under Secretary for Public Works to proceed with the work of the Point Sampson Jetty (as per his minute of February 11th, 1902), and in recommending Cabinet to accept the tender for the construction of the said jetty.

THE MINISTER FOR WORKS replied: Specific professional advice as to the necessity for the work was not sought or given by an officer of the Public Works Department. The work was carried out because the Right Hon. Sir John Forrest promised it, and there was no reason, from an engineering point of view, why the work should not be undertaken. The plans were ordered to be made in 1897, and the present Administration, in accepting tenders, were merely carrying out a promised programme in existence when they assumed office. Since the date mentioned farther inquiry had been made, as shown on file.

QUESTION—FINANCIAL STATEMENT, WHEN.

MR. MORAN asked the Colonial Treasurer: When did he expect to deliver his Budget Speech?

THE PREMIER, for the Colonial Treasurer, replied: Every expedition was being used, and the speech would be delivered as soon as possible.

**REDISTRIBUTION OF SEATS BILL.
IN COMMITTEE.**

Resumed from the previous sitting.

MR. HARPER in the Chair; the PREMIER in charge of the Bill.

First Schedule (Provinces):

MR. MORAN: The Committee finished up that morning, he thought, with a division on the question of including Subiaco in the Metropolitan Province, and of course that settled the question of Perth. It settled the question as far as the Government were concerned about allowing Perth any justice.

THE PREMIER: That was on the basis of having nine provinces.

MR. MORAN: One was glad to hear the Premier say that. It rather confirmed what was said by a member last night, that the Government had designed that in another place we should have another province put in.

THE PREMIER: The select committee had to deal with nine.

MR. MORAN: It was stated last night that we should probably have a province inserted by another place and sent down here. That only went to show how insincere the Government were in this matter, and how very certain it was that the people were to be deprived of their rights in both Houses. He did not know that there was any use in fighting the matter. He supposed the Government had dragged up fresh relays, to sleep and vote alternately. We were considering the North Province. He rose to say he had not expected the Government would keep the House till a quarter-past seven this morning, and divide dozens of times about reporting progress, and then accept defeat from the leader of the Opposition. The leader of the Opposition at seven o'clock this morning moved a vote of censure on the Government. He said: "In order to show my disgust at the action of the Government, I beg to move that the Committee report progress and ask leave to sit again." He (Mr. Moran) would like to know who was in charge of the House, the Premier or the leader of the Opposition? One did not know whether it was much use to fight on in relation to these smaller provinces.

THE PREMIER: The only question which arose in connection with this first schedule was whether, having provided

nine provinces, we could divide them more satisfactorily than was proposed in this schedule. He had already pointed out that under this or any system there must be some inequalities; and in endeavouring to remove some of these inequalities by comparison between the Metropolitan Province and other provinces we might create other inequalities, which would give rise to equally strong criticism and condemnation. When dealing with the Bill in the first instance, it was suggested there should be eight provinces returning 24 members; and one of the results of the discussion last night convinced members of the difficulties which had been seen in connection with the schedule, and were seen as strongly by the select committee as by any member of the House. These difficulties would have been avoided if we had had eight provinces. The difficulty to a large extent was caused by the introduction of nine provinces. If members, when considering the schedule, would endeavour themselves to rearrange the schedule in such a way as to avoid the creation of the difficulties which had been pointed out, they would go a long way indeed in assisting the Government and the report of the select committee. He asked the Committee to pass the schedule, and when dealing with the amendment which the member for West Perth proposed to move in connection with the Constitution Bill it might be found, with the closer knowledge of the difficulties which had been obtained, that nine provinces were either too many or too few. He had explained during the discussion on the Constitution Bill that as the Assembly had agreed to keep the number of their members at fifty, he did not think the Legislative Council would reduce their number to twenty-seven, and he repeated that statement now: he did not think they would. If the Committee thought, after the discussion of last night, that strong argument could be adduced to retain ten provinces, he personally would have no objection to it, and he would assist in readjusting the localities accordingly. He emphasised that some weeks ago when dealing with the Constitution Bill, and he now asked the Committee to get on with the schedule, and if, when dealing with the amendment of the member for West Perth, members came

to the conclusion that fewer or more provinces were necessary, that would create the need for readjusting the first schedule. If, when dealing with the motion of the member for West Perth, consequential amendments became necessary in the Bill, he would assist the House in enabling the amendments to be carried out.

MR. MORAN: The speech of the Premier showed what he (Mr. Moran) had been contending for all through. We were still working in the wrong direction. It was hardly probable that the Assembly would consent to alter the Constitution Bill. We had too many provinces in this large State to be able to satisfactorily cut them up into relative proportions. How much better it would have been if the Premier had consented to take the third reading of the Constitution Bill finally through the Chamber beyond all dispute and alteration. Members would then have known how many provinces there were to be in another place, and how many seats in the Assembly. The Premier now said that if the House agreed with the member for West Perth to alter the Constitution Bill, then the whole trouble would have to be gone over again. But the Premier had made up his mind that the member for West Perth should not get a chance of altering the Constitution Bill. There was a crying feeling in the House and the country that it was not wise to have in the Legislative Council small provinces and parochial politicians. If we were to continue to live under a bicameral system, we should follow in the wake of what was seen all around us, and make the Council contain broad-minded statesmen who would view matters from the broad standpoint of the welfare of the State generally. That would not be done by having ten provinces. Whilst not altogether following the example of the Senate by electing members for the whole State, there could be members elected for the Council representing the metropolitan area, the agricultural districts, the goldfields districts, and the northern portions of this State. That would give the members representing those districts a more independent hand, and not make them so dependent on their own constituencies. Now it was foreshadowed by the Premier that we were

to have not only nine provinces but ten. He protested against this as being in the wrong direction. An invitation was given to another Chamber not to alter themselves and not to go to the country. It was a piece of treachery on the part of the Premier, treachery to the House and the country. The Premier was playing fast and loose with the country. The fair promises of the great reform Government were bearing no fruit at all, or fruit which was very distasteful to the general public of the State. He protested against the way the Government were going to work in the matter. What was being done might have to be gone over again.

MR. PIGOTT: It was almost impossible to fix the schedule without making some alterations with regard to the number of provinces. He had a proposal to make which would overcome the difficulty. Glancing at the schedule, the difficulty which was placed in the hands of the select committee was plain to everyone. We started on a schedule that gave eight provinces, and which treated the goldfields and the metropolitan areas, the mainly populated districts of the State, on a level basis. It gave two northern provinces, which was fair representation, and gave two provinces to the agricultural interests. The select committee were instructed to add one other province, and if an additional province had been given to the metropolis the goldfields would have thought they were unjustly treated, or if the additional province had been given to the goldfields the metropolitan area would have complained in a similar way. Therefore the select committee had to give the new province to the agricultural districts. He suggested in the House previously that eight provinces were insufficient, and he moved an amendment that there should be ten provinces, but the amendment was defeated on the voices, and the House compromised by having nine provinces. On account of the compromise a difficulty was placed before the select committee. There was a way of getting over the difficulty and preventing any chance of a repetition of what occurred last night. It was by agreeing that we should provide ten provinces for the Legislative Council, and we should recast the schedule some-

thing after the manner he would now mention. Taking the figures as near as he could get them, under the present schedule there were two provinces for the metropolitan area returning six members for 48,000 electors, there were two provinces for the goldfields representing 38,000 people, two provinces for the North representing 10,000 electors, and three for the agricultural districts representing 22,000 electors. What he suggested was that the agricultural representatives should give way in order to make the matter as fair as possible, and be agreeable to accept, in lieu of the three provinces only two provinces. Then the new province which would be given up by the agricultural areas should be transferred to the goldfields, and the extra province which would be the tenth should be given to the metropolitan area. If the Committee considered the matter from a broad point of view they must conclude that the proposal he suggested was absolutely fair and just.

MR. BATH: Not quite absolute.

MR. PIGOTT: As near as it was possible to go.

MR. BATH: Getting near it.

MR. PIGOTT: The hon. member for Hannans thought the House should take into consideration the population basis. That could only be viewed up to a certain point: beyond that it was impossible to go. We should make up our minds finally. The suggestion of the member for West Perth was not new: the grouping of electorates had been suggested by the member for East Fremantle.

MR. MORAN: In reference to the Upper or Lower House?

MR. PIGOTT: Both in regard to the Upper and the Lower House. He (Mr. Pigott) had asked whether the committee were instructed to go into the question of grouping, and the answer was to the effect that the committee were instructed to form nine provinces, to define the boundaries of those provinces; to draw up fifty districts for the representatives of the Lower House and define the limits of those districts. The select committee performed their work faithfully, fairly, and justly. It was impossible for that committee to take any other course. Define the Council provinces and the Assembly elec-

torates, and then decide whether to group any of them. If this suggestion were acceptable, pass the first schedule as the Premier suggested, and the remainder of the Bill, on the understanding that the first schedule be recommitted and ten provinces determined. This suggestion was made to prevent another late sitting. Let there be three metropolitan provinces. First "Perth," containing Perth, East Perth, North Perth, and West Perth; second the Metropolitan-Suburban Province, containing Claremont, Subiaco, Canning, Guildford, and Balclatta; third the West Province, consisting of the four Fremantles. The goldfields should have three provinces: the East Province, containing Brown Hill, Ivanhoe, Boulder, and Hannans; the South-East, containing Kalgoorlie, Coolgardie, Dundas, and Yilgarn; and the North-East, containing Kanowna, Kurrajong, Menzies, and Mount Margaret. In this matter agricultural members had sacrificed much. It was impossible for us to decide accurately the true voting strength of the Upper House electors in any province; but there was a larger number of Upper House voters in the agricultural than in the mining districts. The agricultural districts would be given two provinces: the Central Province, containing Northam, Toodyay, York, Albany, Beverley, Katanning, and Williams; and the South-West Province, containing Swan, Collie, Murray, Nelson, Sussex, Bunbury, and Wellington; while the North Province would, as proposed in the schedule, consist of Cue, Geraldton, Greenough, Irwin, Mount Magnet, and Murchison. It was doubtful which section of the community could rightly claim that North Province. Was it a mining or an agricultural province? The North-West Province would contain Gascoyne, Kimberley, Pilbarra, and Roebourne.

MR. THOMAS: The suggestions of the last speaker were fair and reasonable. As a goldfields representative, he (Mr. Thomas) strongly opposed the schedule last night, and metropolitan members did likewise. The whole trouble arose from the compromise by which the Council provinces were made nine in number instead of eight or ten. To give another seat to the goldfields and another to the metropolitan area would be as fair a distribution as could be devised for the Upper House. Though he favoured re-

ducing members in both Houses, he would accept this compromise, with which all members ought to be satisfied. If it were not accepted, it was our duty to fight for another seat for the Lower House.

MR. HASTIE welcomed the suggested compromise. He had wished to diminish the number of provinces and of Council members; but to arrange the constituencies accordingly was very difficult, and there was always the possibility that another place would refuse to reduce the membership unless the Assembly membership also were reduced. The suggestion should result in a fairly satisfactory Bill.

MR. NANSON: The speeches of the leader of the Opposition (Mr. Pigott) and of the Labour party (Mr. Hastie), who seemed to be allied with the Government, afforded the fullest justification for the attempt last night to get the Government and their Opposition allies to refer the select committee's report back to the committee for reconsideration. The attempt was resisted, and the statement made that the select committee had made the best possible suggestion. Since 7 o'clock this morning the Premier had evidently been in conference with the leader of the Opposition and the leader of the Labour party. [THE PREMIER: No.] The present suggestion would involve the entire recasting of the first schedule; and whatever were the new proposals, members must have time to consider them. It was not advisable that these proposals should be dealt with immediately after being propounded. Few members had adequately grasped them, and it was difficult to consider them except in print. Therefore the consideration of the first schedule should be postponed. If the proposals were in print, they could be considered calmly and dispassionately.

THE PREMIER: The schedule could be postponed.

MR. NANSON: One could not forbear referring to the manner in which the whole spirit of the Government proposals, as introduced last session, had been departed from. In moving the second reading of the Constitution Bill last session, the Premier had devoted much time to pointing out that an equitable redistribution of seats could only be obtained either by increasing the

existing number of members or by a decrease, and he had by that Bill sought to make a reduction. He (Mr. Nanson) then supported that reduction, but had been twitted by the member for Dundas and other members with being very inconsistent in his attitude to redistribution. He claimed to have been quite consistent throughout, though he had accepted a suggestion for a compromise. He regretted that the Premier and his colleagues, instead of sticking to the matured Bill of last session, had given way first on one point and then on another, until the number of Upper House members was to be left exactly as at present.

THE PREMIER: The hon. member would admit that he (the Premier) had treated the Upper House numbers as being consequential on any reduction in the Lower House.

MR. NANSON: It was not for him to admit anything. It was clear to his recollection that the Bill provided for a very substantial reduction of members of the Upper House. Now, with the full concurrence apparently of the leader of the Labour party, and with possibly the concurrence of the Premier, though it was said there had been no private arrangement and that the Premier had not heard of this proposal of the leader of the Opposition, the leader of the Opposition proposed to increase the number of members of the Upper House to the existing number. It would be a humane act on his (Mr. Nanson's) part to have progress reported at this stage to give the Premier time to consider his position. The Government were expected to formulate a policy of redistribution, but their policy was being framed by their allies on the direct Opposition benches. He had said before that there was a compact between the direct Government benches and the direct Opposition benches. It might be that the members of the Government and the direct Opposition were so conservative in temperament that their ideas naturally ran on the same lines. The Premier, having found that his slightly more liberal and progressive proposals of last session had not received the support he desired, instead of firmly holding to the position he took up and commanding a greater degree of respect, with a very

feeble protest had allowed the numbers of the Lower House to remain as at present; and even if he did protest against increasing the number of members in the Upper House, he probably would not make it effectual by declaring that the Government refused to concede any farther points. The Premier, if he still held to his convictions of last session, should fight for them. Why did he not sooner retire from office than allow them to be overridden by the Opposition benches?

THE PREMIER: Why should he provide a job for the hon. member?

MR. NANSON: The Premier had the best reasons for knowing that he (Mr. Nanson) was not seeking a seat on the Treasury bench. The Premier should be careful, on a matter like this, not to provoke one into saying what he should not say. Interjections imputing cupidity for office were out of place.

MR. GORDON: It was a raw spot.

MR. NANSON: It was not a raw spot. The hon. member knew that there were strong circumstances he (Mr. Nanson) was not at liberty to mention, by which the Premier had no right to make such an observation. The Premier last session had dwelt on the great tendency in all the States to unduly increase both Houses, referring not simply to the Lower House, but also to the Legislative Council. The Premier had also shown that membership had gradually become too large, that there was a tendency towards the adoption of better methods, and that as the population increased, membership might be increased, but not in the same ratio as population. The Premier farther showed that, so far as the Upper House was concerned, the Government proposed to reduce the number of provinces to eight, with a total membership of 24, and pointed out that the existing ten provinces had been arranged haphazardly, and did not appear to represent any particular interests. The Premier was on this occasion apparently willing to allow the number to revert to the old system. Last session the Premier had said that the Legislative Council had too many members. He was now trying to persuade the Committee that last session he had only dealt with the Lower House. Had the Premier, in regard to the proposals of the leader of the Opposition, no rag of principle left for which

he was prepared to fight, or was he, after the plain declaration of policy contained in his speech of last session, going to revert to the old system of numbers? The Premier went on to say—[extract read]. It was absolutely unnecessary now to say a word against the proposal of the leader of the Opposition. All that was necessary was to take this volume of *Hansard* and read from it the second-reading speech of the hon. gentleman on his own Constitution Bill as introduced last session. The speech contained all the arguments necessary to condemn the present proposal of the leader of the Opposition; and in reading extracts of those arguments he was hoping to persuade members to abide by the Bill as originally introduced by the Government, and partly in the hope of obtaining from the Premier some justification, if that were possible, for his unfair change of front. Speaking of Victoria, the hon. gentleman had said—[extract read]. One knew the argument would be used in favour of this change to keep the number of members of the Council at 30, that unless we did so the Bill would have no chance of passing. To a great extent he recognised the force of that argument; but surely it was not our part in a popular Chamber to anticipate a decision of the Upper House. The right way for this Chamber to deal with the matter was to give to the House the number of members we thought it should have; and he had not changed the opinion he held last year when he agreed to the Premier's proposal. It was better to leave the number as it was then, and if we found later that the Legislative Council sent the Bill back to us with the number of 30 members restored to the Bill, it would be time enough to deal with that difficulty. As he said last night, sooner than have no redistribution at all, sooner than go to the country without any change in the constitution of either Chamber, he would let the Legislative Council in the last resort go absolutely untouched; because he recognised that if the cause of constitutional reform was to be fought with any degree of success in this country, the first essential was to have a strong House fully representative of the people. Rather than that we should have this question held over for another three sessions of Parliament, we should,

if absolutely compelled to do so, give way on the subject of the Legislative Council, and devote all our efforts and energies to the reform of this House. He could not say that he was very sanguine of success in that direction, because it seemed to him that this House would never be reformed except when the reforming hand of the people was laid upon it at the general elections. The proposals of the leader of the Opposition should be in print before members, as they would have been if the Bill had been referred back to the select committee as was suggested. The method in which we were proceeding necessarily led to an enormous waste of time. If, as regarded the Upper House, the composition of it, the number of members and the division of electorates, we ascertained the opinion of this House before instead of after discussing the matter, we should save some very long discussions. He hoped the proposal made would receive the consideration to which it was entitled, and that it would not be carried in the small hours of to-morrow morning.

MR. PIGOTT: One could understand the speech of the member for the Murchison (Mr. Nanson); but was it necessary, seeing that this very question which he was bringing forward to-night had been threshed out. The hon. member himself fought the question. The hon. member now said, "Let us go back and send the measure to the Upper House, and let them make their own reform." Did not he (Mr. Pigott) make that suggestion on the second reading? He got no support from the hon. member. He appealed to the members now to say whether the hon. member was fair in his remarks. The hon. member said we could not get this House to agree to the total abolition of the Upper House; so what did he suggest? He suggested that we should make no alteration in the Upper House at all, and he said that we could bring in no redistribution unless we had a reduction.

MR. NANSON: That was what the Premier said.

MR. PIGOTT: The speech of the hon. member was what he was referring to. Could we not redistribute the seats in the Upper and Lower House without reducing the number? This House threshed

the question out and agreed that 50 should be the number in the Lower House and 27 in the Upper House; and now we came to the conclusion that 27 was an absolute impossibility, because the country could not be divided up into provinces to suit that number.

MR. TAYLOR: Let the number be 24.

MR. PIGOTT: The House had refused to make it 24, and why should we go back on it? Was this Committee to go back on its action every day?

MR. TAYLOR: It was always doing so.

MR. PIGOTT: In this Bill we were bringing in reform in reducing the franchise of the Upper House; we were altering altogether the present constituencies for the Lower House; and we were making a great alteration as to the boundaries of provinces. The goldfields members must admit this to be the case. The constitution of the Upper House would be altered by the suggestion he had made that the goldfields should have another province. The agricultural representation was altogether reformed.

HON. F. H. PRIESE: Altogether inadequate.

MR. PIGOTT: Members must compromise in this direction to get the Bill. Were we to decide finally what was to be done, or were we to follow the true feelings that must pervade members that this was a question to be decided by the people only? Let us send forward a Bill which was a compromise, and when the general election came on put the matter before the country; it was for the people to decide finally. He asked members to be fair, not to become heated on the question; when we were beaten let us submit. A man who could not take a hiding was not worthy the name.

MR. NANSON: The hon. member had adopted absolutely new grounds.

MR. PIGOTT: The action which he was taking was the same as that which he took when the Bill was first introduced, that there should be ten provinces.

MR. NANSON: If the Committee went on until to-morrow morning the hon. member would have another proposal.

MR. PIGOTT: That was his original idea. It was propounded in the House when the Bill was first introduced.

MR. NANSON: The hon. member had changed his mind within the last 24 hours.

MR. PIGOTT: What he had said was that the schedule was the fairest which the select committee could submit to the House. The select committee had no power to discuss ten provinces for the Legislative Council.

MR. NANSON: When did the hon. member previously suggest ten provinces?

MR. PIGOTT: On the discussion of the Constitution Bill, when he moved that "eight" be struck out, and that "ten" be inserted, but was beaten, and the Committee agreed to nine. When the Redistribution of Seats Bill came before the House it was sent to a select committee to provide for the nine provinces. The committee did their work well; it was impossible under the circumstances to do anything but what had been done. He had been absolutely consistent, so had his party.

MR. BUTCHER: A few figures which he had prepared would show how complete was the suggestion of the member for West Kimberley. If provision was made for ten provinces, then there would be the Metropolitan Province, comprising Perth, East Perth, North Perth, and West Perth, with 14,484 electors; the South-East Province, in which would be included Coolgardie, Dundas, Kalgoorlie, and Yilgarn, with a population of 9,320; the Metropolitan - Suburban Province, containing Claremont, Balcatta, Subiaco, Canning, and Guildford, containing 15,900 electors. That did away with the difficulty which the member for Subiaco raised last night of including Subiaco in the West Province. Then there was the Central Province, containing Northam, Newcastle, York, Albany, Beverley, Katanning, and the Williams. That was a purely agricultural province, containing 11,300 electors. The South-West Province, to contain Bunbury, Collie, Forrest, Moore, Nelson, Sussex, and Wellington, numbering 12,130 electors; the North-West Province would contain Gascoyne, Kimberley, Pilbarra, and Roebourne, with 2,600 electors; the East Province would contain Brown Hill, Ivanhoe, Boulder, and Hannans, with 14,000 electors; the North-East Province would contain Karonna, Kurrajong, Menzies, and Mount Margaret, having 12,900 electors; the Northern Province would contain Cue, Geraldton, Greenough, Irwin, Magnet, and Murchison, with 9,100 electors; and

the West Province would contain Fremantle, East Fremantle, North Fremantle, and South Fremantle, having 10,726 electors. That was the division of the State into ten provinces which was the original suggestion of the leader of the Opposition, who made a compromise; but it had been found that nine provinces would not work out satisfactorily, and the leader of the Opposition had come back to his original proposal to have ten provinces.

HON. F. H. PIESSE: The member for West Kimberley had stated he understood that he (Mr. Piesse) was prepared to agree to the suggested compromise. In regard to this matter he was still of the opinion that the proposal as recommended by the select committee, and embodied in the report to the House, was arrived at after mature consideration and on a basis which would give justice to the agricultural districts. He had frequently stated, and he repeated it again, that he considered the large number of the electors who were in the agricultural districts, numbering 22,626 persons, were in proportion greater than the number of electors on the goldfields or metropolitan provinces. Owing to the different positions which agriculturists occupied as householders, there were a greater number who were entitled to vote for the election of a member to serve in the Legislative Council than there were in the goldfields or metropolitan provinces, especially in the Metropolitan-Suburban Province.

MR. DAGLISH: That was ridiculous!

HON. F. H. PIESSE: It was not ridiculous, because on the goldfields, although it was stated there were 31,000 electors, a large number of persons were travelling from place to place, and would not, under the provisions of the Bill, be entitled to vote in any province. It was admitted they would be entitled to vote for the Assembly, but the basis on which we had arrived at a conclusion on the matter was not a correct one. The basis was the Assembly rolls. There was no authentic idea of the number of electors who were entitled to vote for the Legislative Council. If we took the old rolls the proportion was greater in the agricultural centres than on the goldfields. The people in the agricultural districts were

of more settled habits, were householders and leaseholders and Crown lessees, and there were other people occupying permanent positions there which naturally entitled them to vote, whereas the people on the goldfields travelled from place to place, and although they had a right to vote for a member of the Assembly, they had no right to vote in an election for a member of the Council. The division proposed by the select committee was arrived at after mature consideration.

MR. HASTIE: By the hon. member.

HON. F. H. PIESSE: The member for Kanowna was not in favour of it. He looked at the matter from the standpoint of the people he represented. If the proposal put forward by the member for West Kimberley were adopted, it would do injustice to that section of the people who should receive justice at the hands of the Committee.

MR. DAGLISH: What was the member going to get in return for the compromise?

HON. F. H. PIESSE: That would be gone into later. If the arrangement was to be carried out, there was a proposal to report progress, and he understood the Premier was prepared to take into consideration the question of the new division. If a compromise could be arrived at, the Bill could be passed and sent on to another place for consideration. None knew what the Upper House would do with the Bill; but doubtless their action would be fair to the whole community, and the just claims of the agricultural districts would not be overlooked.

MR. DAGLISH: To the proposal to bring the Council more into touch with the people there was no objection, nor to retaining that House at its present size; for too small a House of Parliament was sometimes dangerous. But what was behind the present compromise? The last speaker seemed to have something "up his sleeve," and to be making a small sacrifice for some great gain. What was the consideration? Doubtless, if we agreed to the proposal of the leader of the Opposition, the member for the Williams would disclose the *quid pro quo* he was to receive, and would maintain that members were morally committed to giving it to him. Presumably we were to have increased representation for the

populous districts in the Council, and to counterbalance that were to give away some of our representation in the popular Chamber.

HON. F. H. PIESSE: There was no arrangement whatever between him and the Government, nor did he expect any *quid pro quo* for the concession he now made, which was a matter of agreement between himself and the leader of the Opposition.

MR. MORAN: The *quid pro quo* was the new seat in the Lower House, namely Katanning, recommended by the select committee.

MR. DAGLISH: Then the member for the Williams agreed to the suggestion of the leader of the Opposition?

HON. F. H. PIESSE: Without making any terms at all.

MR. DAGLISH: The fact remained that certain members of the House were committed to a seat for, say, Katanning, because they brought up a certain report as members of a select committee. He was opposed to giving that seat to Katanning; and if he voted for the present proposal he would do so with the intention of voting later against the creation of a Katanning electorate.

MR. MORAN: No member could, by voting to reallocate seats in another Chamber, compromise his action in allocating Assembly seats in this House. In trying to make the second schedule give adequate representation in the Assembly, he (Mr. Moran) expected no help from the direct Opposition, who would oppose the liberalising of the Upper House franchise, or any proposal to bring the Lower House into line with similar Houses of other States; and in that they would be followed by the Government. The sincerely liberal tendencies of the Premier were entirely overpowered by the mass of conservatism which made up his party; and his numerous former admirers found that he had turned a complete somersault, and was now at the head of the consolidated forces of reaction. There was evidently a tacit understanding as to the present proposal; else the Premier would have been the first to-night to say we must fight out the schedule on the basis of nine provinces, or would have brought forward a Government proposal for a new schedule. There was evidently a

majority in favour of giving the Upper House 10 provinces, thus making it more parochial. In the Assembly were the most glaring electoral anomalies in Australia. He (Mr. Moran) spoke on behalf of 6,000 people, the member for Hannans for 10,000, the member for Gascoyne for 455, the leader of the Opposition for about 150. The member for the Williams seldom spoke without mentioning the agricultural interests; but he (Mr. Moran) resented the presumption that while there was an agricultural majority in the House justice would be done to everybody, but if any other industry got the upper hand the farmer would be crushed out of existence. [HON. F. H. PIESSE: Misrepresentation.] The hon. member existed to fight for more representation for the farmers than they were entitled to; the assumption being that unless the agricultural elector had ten times the voting power of anyone else, injustice would be done. Was there any country where the small farmer had been hurt by popular government? The only man hurt by such a government was he who monopolised large areas of land; hence the desire to keep our Upper House strong and parochial, so as to resist a land and income tax. Why should not the Government provide the exact figures showing the distribution of Upper House electors?

THE MINISTER FOR LANDS: They were now on the table.

MR. MORAN: Surely the masses were not to be for ever unrepresented in the Council. He dissented from that altogether, and regretted extremely that the Premier should, so early in his political career, turn his face from all he held sacred in the name of democracy. He hoped the leader of the Labour party would not sell his party by allowing the retention of parochial interests in the Upper House, and he trusted that the Lower House would be elected on a population basis. Why should the Constitution not be viewed independently of the Legislative Council? Where had the new doctrine emanated from that each House was master of its own destinies, and that the Legislative Council should only be referred to with bated breath?

MR. BATH: The hon. member had objected to criticism of the Upper House last session.

MR. MORAN: The hon. member was wrong. He could not have seen the notice on the paper to radically alter the Upper House. The time might come when the Upper House would be elected by all the State as one province. If his casting vote would carry such an alteration he would give it at once, because by that means at any rate there would be one Chamber representing the popular vote instead of, as at present, two Chambers representing vested interests. He would adhere to the present bi-cameral system. He would rather have the Upper House elected on a popular franchise, always expecting it to give way on the second or third time to the will of the Lower House. The bi-cameral system was a safe path for the present. It was a path on which South Australia and New Zealand had travelled, and they were the most democratic States at present, but did not allow the Upper House for all time to veto the wishes of the Lower House. In New South Wales, which was an agricultural State, the Lower House was elected on a population basis. In Queensland the farmer was more persecuted than in any other State, and now he realised that his road lay with that of the Labour party and those opposed to the class which seized the lands of the State and locked them up. Some of that existed in Western Australia, and parts of the State wanted the fertilising influence of the land tax, which could only be obtained from a popular House. The Premier had lost his backbone, and proved himself spineless in the hour of battle. He had realised that he was safe in the arms of conservatives on both sides of the House, there being nothing to separate them. The liberals of the House should fight, and not come to any terms. If they must give way in the fight to the Upper House, it should not be until the fight was too much for them, and then they could go to the country and cry aloud for a more liberal Government. Why should the gold-miner only have one-tenth of the representation of the farmer? One should protest against the placid attitude of the Premier, against his being led away from the chain in which his thoughts were when he introduced the Constitution Bill, and against defeating the people of their aims and robbing them of popular government.

MR. ILLINGWORTH: Early in the debate he had asked the Premier to give some reason for the anomalies in the schedule. In former times attempts at redistribution had been made by increased representation; but increased representation without the removal of the anomalies was no redistribution. This Bill contained no redistribution whatever. Twelve members represented 23,676 voters, and three members 23,700 voters, so that the Bill was not based upon population. Perhaps from the standpoint of the Premier it would be impossible to have representation upon population; but though there might be difficulties, it was not impossible. There was no reason at all why there should be ten provinces or nine provinces, or any number of provinces divided up as proposed. In the first place the State might vote as one province, as was done in the case of the election for the Federal Senators. Secondly, interests might be the basis of representation. The present proposals showed that the gold-mining interests had six representatives; the pastoral interests three; the agricultural interests twelve.

THE PREMIER: How did the hon. member make out that the Murchison was not a goldfields province?

MR. ILLINGWORTH: Because it was dominated by the agricultural interests, which would always return agricultural members.

THE PREMIER: The only agricultural place in the province was Greenough.

MR. ILLINGWORTH: The province contained the Moore, the Greenough, and the Murchison electorates, which would return a member, even if Geraldton voted with Cue and Magnet. Agricultural and pastoral interests always voted together, and this Bill gave the agricultural and pastoral interests fifteen members, which was an absolute control of the Legislative Council. If we made the State one electorate—and he saw no reason why we should not—the varied interests would balance themselves. The larger interests would return the larger number, and the concentrated interests would return the minority number. Let members look at the position as presented. We had one electorate returning three members for 2,405, and

another returning three members for 23,700, and all the variations between those two figures. It was proposed to have ten provinces, and it was said that it was impossible to divide nine. It was as easy to divide nine, however, as it was to divide ten or six. It was a question of approaching the Bill from the three points the Premier had laid down—population, territory, and interests. Did this Bill represent population? The answer must be “no.” Did it represent interests? Yes; if we took the agricultural and pastoral interests as the only interests to control the country. It would be utterly impossible for the gold interest—which as everybody in the House admitted made this country—to cast a reasonable vote for the Legislative Council. In regard to all legislation in this House we must take into consideration the fact that Parliament consisted of two Chambers. He commended the Premier and the leader of the Opposition as to the positions they were taking with a view of getting this Bill through. In the Constitution Bill there were many valuable reforms, and he wanted to see that Bill passed. He did not see any great reason for separating the Redistribution Bill from the Constitution Bill except for convenience of altering the boundaries that might perhaps arise in the future; but we were now proposing to deal with the Constitution question, and to some extent settle that question for a while. What was the basis this Bill proposed to settle it on? It absolutely proposed to settle the question by placing the power in the hands of 15 representatives, 12 of whom were returned by the agricultural interests, and three by the pastoral interests. All the interests of this State—not merely the pastoral and agricultural interests, but the gold-mining, timber, city, and port interests, and every other interest—had to be made subordinate to 15 members returned by the agricultural and pastoral interests.

MR. PIGOTT: Fifteen men could not control this House.

MR. ILLINGWORTH: Fifteen members could control the Legislative Council, with 27 members in the Upper House.

MR. PIGOTT: A proposition had been brought forward which altered the complexion of the Bill altogether.

MR. ILLINGWORTH said he was discussing the Bill. The Bill put forth by the Government was placed upon the table for the acceptance of the House and the country. If the measure was not good enough and would not stand criticism, it should not be placed on the statute book. The Premier had frequently taken up the position that the plaintiff was to be heard, but the defendant never. In his own practice the hon. gentleman would not, one thought, carry that out. We were proposing to pass a Redistribution of Seats Bill. A redistribution of seats should represent something. In this case it absolutely represented nothing. The Bill did not represent the people, it did not represent interests, and what was there left for it to represent? Territory, and territory was all that the Bill represented, and it did not represent that well. The agricultural and pastoral interests were so linked together that they always voted together. They had always done so in this House and also every other House in Australia. He had never lifted his voice against either of those interests. He knew the importance of them to every part of every community; but he objected strenuously to a Bill which was called a Redistribution of Seats Bill, but which simply located the whole control of all the affairs of this State in the hands of the agricultural and pastoral parties. He had expected the Government to bring in a Redistribution of Seats Bill.

MR. PIGOTT: Upon a population basis?

MR. ILLINGWORTH: Not wholly upon a population basis, but population must be the principal factor. We could not possibly arrange the constituencies absolutely upon a population basis, but this Bill had nothing to do with population. In what way did this Bill represent population, when three members were returned for 2,405 voters and three for 23,700? What representation was given to people under this Bill, when 12 members were returned to represent 23,676 voters and three to represent 23,700 voters? If we were to arrive at anything like an equitable basis, we ought to make the whole country one electorate. If we had one electorate, there would be room for minority votes, and every interest in the State would be represented in exact proportion to its power in the State. The

suggestion to refer the Bill back to the select committee was worthy of every attention. He had no objection to 30 members or 27. He perfectly agreed with the Premier that it was desirable that the Legislative Council should have half as many members as the Legislative Assembly, approximately. We had gone to 27, and to make things more equitable he would support that proposal in the absence of any other. As to the city and suburban division, it was absolutely absurd to say that Balcatta, Canning, and Guildford were to be linked with Perth, East Perth, North Perth and West Perth. It was not too big if we were to keep the proper number of members. The State might be divided into three provinces; then the 27 members would come in.

THE PREMIER: It was hardly necessary to say he did not agree with the criticism of the member for Cue, that we had four provinces each returning three farming members. He (the Premier) objected to the Northern Province being taken as a farming province, as it contained Geraldton, Cue, Mt. Magnet, and Murchison. His contention was that the Northern Province to-day was not a farming province, that not one of the present three members was a farmer. He did not accept the basis on which the member for Cue built his argument. There were 12 farming members provided for under the first schedule. He wanted to indorse the observations of the member for Cue that the Bill contained valuable reforms which ought to be placed on the statute-book. He had his idea as to what were the most valuable or essential requirements, none of which had been interfered with; they remained, and if the Bill passed, that in itself, whether there were 25 or 30 members of the Upper House, would represent the biggest advance in constitutional reform yet made. He could accept the criticism of the ex-leaders of the Opposition, and he was satisfied that when the work was done the electors would be able to judge. The suggestion thrown out by the leader of the Opposition was worthy of consideration; certainly it was not one that could be disposed of now, as it would affect the first schedule. He agreed with the member for the Murchison that it would be advisable to move to report progress.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 9-50 o'clock, until the next day.

Legislative Assembly,

Thursday, 10th September, 1903.

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THE SPEAKER took the Chair at 4-30 o'clock, p.m.

PRAYERS.

PAPER PRESENTED.

By the **MINISTER FOR LANDS:** Annual Report of the Agricultural Department.
Ordered, to lie on the table.

QUESTION—FIRE INSURANCE ON GOVERNMENT PROPERTY.

MR. STONE asked the Treasurer: 1, What was the sum paid by the Government for fire insurance for the year ended 30th June. 2, What was the sum received from insurance companies for damage by fire during the same term. 3, Whether the Government will consider the advisability of making arrangements for the different departments to insure with the Government, and save the difference between what the Government pay and what they receive.

THE TREASURER replied: 1, £4,560 7s. 4d. 2, £661 1s. 3, A scheme has been formulated, and is ready for practical operation, whereby the Government will cover their own risks.